

THURSDAY, JUNE 18, 2020

SIXTY-FIFTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 1:00 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Senator Haile.

PLEDGE OF ALLEGIANCE

Senator Haile led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Haile led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

COMMUNICATION

June 17, 2020

Lt. Governor McNally
425 5th Ave. North
Suite 700, CHB
Nashville, TN 37243

Lt. Governor McNally,

With your permission, I'd like to be excused from session on Thursday, June 18th.

Due to a family matter, I need to fly to Arizona in the morning which will prevent me from attending any committee meetings or legislative sessions.

I appreciate your understanding, Sir.

With thanks,

/s/ Jon Lundberg
State Senator
District 4

APPROVED: Lieutenant Governor
Randy McNally

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 1387, 1672, 2033, 2052, 2136, 2263, 2669, 2680, 2689, 2705, 2762, 2918 and 2932** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 1387 -- Taxes, Sales -- As introduced, requires out-of-state sellers with more than \$100,000 in sales or more than 200 separate sales in this state during previous 12-month period to collect and remit sales tax to department of revenue rather than having in-state consumers remit the use tax for purchases made from such dealers. Amends TCA Title 49; Title 67; Chapter 72 of the Public Acts of 2011; Chapter 193 of the Public Acts of 2017; Chapter 273 of the Public Acts of 2015; Chapter 452 of the Public Acts of 2017; Chapter 480 of the Public Acts of 2013; Chapter 530 of the Public Acts of 2009 and Chapter 602 of the Public Acts of 2007.

House Bill No. 1672 -- Workers Compensation -- As introduced, transfers administration of construction service provider registration from the secretary of state to the bureau of workers' compensation. Amends TCA Title 50, Chapter 6, Part 4 and Title 50, Chapter 6, Part 9.

House Bill No. 2033 -- Public Funds and Financing -- As introduced, requires each state agency to submit, on or before December 1 of each year, a report to members of the finance, ways and means committees summarizing amounts of federal block grants and purposes for which funds were expended, including any unexpended or returned portions. Amends TCA Title 4 and Title 9, Chapter 4.

House Bill No. 2052 -- Taxes, Sales -- As introduced, provides an example of the type of entity that falls within the definition of the term "private nonprofit college or university," for purposes of the tax exemption where the title holder of certain tangible personal property used by a contractor or subcontractor is a private nonprofit college or university. Amends TCA Section 67-6-209.

House Bill No. 2136 -- Jails, Local Lock-ups -- As introduced, requires the department of correction to pay an additional \$5.00 per day recidivism-reduction stipend for certain county jails housing convicted felons, in which the felons attend evidence-based programs to reduce recidivism rates upon release; authorizes community colleges and colleges of applied technology to assist county governments in development of such programs. Amends TCA Title 5; Title 8, Chapter 26; Title 40; Title 41 and Title 49.

House Bill No. 2263 -- Abortion -- As enacted, creates the Class C felony of performing or inducing, or attempting to perform or induce, an abortion upon a pregnant woman whose unborn child has a fetal heartbeat; creates other criminal offenses related to the performance of an abortion; requires that certain information regarding reversing chemical abortions be provided; revises and enacts other abortion-related provisions. Amends TCA Section 37-10-304 and Title 39, Chapter 15, Part 2.

House Bill No. 2669 -- Pensions and Retirement Benefits -- As introduced, replaces the statutory terms "board member" and "member" with the term "trustee" in the provisions governing

appointments to the board of trustees in the event of vacancies resulting from the death, disability, resignation, or ineligibility of a state employee who serves on the board. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37.

House Bill No. 2680 -- Health Care -- As introduced, authorizes healthcare facilities to provide an electronic method for insureds or their representatives to acknowledge and sign the statutorily required notice that the insured agrees to receive medical services by an out-of-network provider and will receive a bill for the amount unpaid by the insured's insurer. Amends TCA Title 33; Title 56; Title 63 and Title 68.

House Bill No. 2689 -- Children -- As introduced, authorizes a "Parents' Day Out" or similar program operated by a religious institution or organization to provide 12-hour per week child care services in whatever block of time desired; requires the department of human services to create a \$10 million fund to provide unlicensed care providers in rural counties with assistance in making facility upgrades for licensure; allows care providers in rural counties to provide child care for up to 10 children without being licensed if certain conditions are met. Amends TCA Title 49 and Title 71.

House Bill No. 2705 -- Game and Fish Laws -- As introduced, creates a five-member Asian carp advisory commission to recommend methods and seek funding for the eradication of Asian carp from Tennessee waters. Amends TCA Title 4 and Title 70.

House Bill No. 2762 -- Criminal Offenses -- As introduced, requires each district attorney general to make a one-time report on or before February 1, 2021, to the judiciary committees of the senate and house of representatives as to the number of cases the district attorney general is handling in their jurisdiction regarding reports of threats to school employees and reports of threats of harm communicated in a school setting. Amends TCA Title 38; Title 39 and Title 49.

House Bill No. 2918 -- Benton County -- Subject to local approval, requires government-owned hotel operators to collect and remit the privilege tax on the occupancy of hotels and motels in the county. Amends Chapter 189 of the Private Acts of 1994.

House Bill No. 2932 -- Hardin County -- Subject to local approval, increases from six to eight members on the Hardin County General Hospital Board of Commissioners. Amends Chapter 409 of the Private Acts of 1957; as amended.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1400 through 1404**; and **Senate Resolutions Nos. 184, 185 and 187** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 1400 by Senator Gresham.
Memorials, Death -- Dorothy Mabry.

Senate Joint Resolution No. 1401 by Senator Johnson.
Memorials, Recognition -- Nashville State Community College, East Davidson Campus.

Senate Joint Resolution No. 1402 by Senator Johnson.
Memorials, Recognition -- Honey Alexander Center.

Senate Joint Resolution No. 1403 by Senator Johnson.
Memorials, Recognition -- Goodwill Career Solutions Center.

Senate Joint Resolution No. 1404 by Senator Johnson.
Memorials, Retirement -- Assistant Chief Tommy Walsh, Brentwood Police Department.

Senate Resolution No. 184 by Senator Akbari.
Memorials, Professional Achievement -- Archie Moss, Jr.

Senate Resolution No. 185 by Senator Akbari.
Memorials, Retirement -- John G. Hayes.

Senate Resolution No. 187 by Senator Yager.
Memorials, Recognition -- Morgan County Sheriff's Department.

MOTION

Senator Johnson moved, pursuant to Rule 21, **House Joint Resolutions Nos. 1242 through 1244; Senate Joint Resolutions Nos. 1352 through 1354, 1357 and 1358; and Senate Resolution No. 182** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 1243 -- Memorials, Retirement -- Gary B. Anderson.

The Speaker announced that he had referred House Joint Resolution No. 1243 to the Committee on Calendar.

House Joint Resolution No. 1244 -- Memorials, Retirement -- Assistant Chief Tommy Walsh, Brentwood Police Department.

The Speaker announced that he had referred House Joint Resolution No. 1244 to the Committee on Calendar.

Senate Joint Resolution No. 1352 -- Memorials, Recognition -- Americans with Disabilities Act, thirtieth anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 1352 to the Committee on Calendar.

Senate Joint Resolution No. 1353 -- Memorials, Recognition -- The Bakery Box and It's A Pear Catering.

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The Speaker announced that he had referred Senate Joint Resolution No. 1353 to the Committee on Calendar.

Senate Joint Resolution No. 1354 -- Memorials, Death -- Anna Shepherd.

The Speaker announced that he had referred Senate Joint Resolution No. 1354 to the Committee on Calendar.

Senate Joint Resolution No. 1357 -- Memorials, Recognition -- Phelan Story, Maytag Dependable Leader Award.

The Speaker announced that he had referred Senate Joint Resolution No. 1357 to the Committee on Calendar.

Senate Joint Resolution No. 1358 -- Memorials, Death -- Judge John K. Wilson.

The Speaker announced that he had referred Senate Joint Resolution No. 1358 to the Committee on Calendar.

Senate Resolution No. 182 -- Memorials, Professional Achievement -- Dr. Kathryn Edwards, 2020 John Howland Award.

The Speaker announced that he had referred Senate Resolution No. 182 to the Committee on Calendar.

Senate Resolution No. 184 -- Memorials, Professional Achievement -- Archie Moss, Jr.

The Speaker announced that he had referred Senate Resolution No. 184 to the Committee on Calendar.

Senate Resolution No. 185 -- Memorials, Retirement -- John G. Hayes.

The Speaker announced that he had referred Senate Resolution No. 185 to the Committee on Calendar.

Senate Resolution No. 187 -- Memorials, Recognition -- Morgan County Sheriff's Department.

The Speaker announced that he had referred Senate Resolution No. 187 to the Committee on Calendar.

Senate Resolution No. 189 -- Memorials, Public Service -- Robert N. "Bob" Buchanan III.

The Speaker announced that he had referred Senate Resolution No. 189 to the Committee on Calendar.

CONSENT CALENDAR

House Joint Resolution No. 1233 -- Memorials, Academic Achievement -- Parker Martz, Salutatorian, Bearden High School.

House Joint Resolution No. 1234 -- Memorials, Academic Achievement -- Samaya Baljepally, Valedictorian, Bearden High School.

House Joint Resolution No. 1235 -- Memorials, Professional Achievement -- Dr. Nancy Williamson, University of Tennessee Educators Hall of Honor.

House Joint Resolution No. 1236 -- Memorials, Congratulations -- Commend the legislature's efforts to include non-discrimination and race relations information in the legislature's workplace training programs.

House Joint Resolution No. 1237 -- Memorials, Interns -- Makayla D. Martin.

House Joint Resolution No. 1238 -- Memorials, Retirement -- Dr. Judy Webb.

House Joint Resolution No. 1239 -- Memorials, Recognition -- Dale P. Bowling.

House Joint Resolution No. 1240 -- Memorials, Death -- Anna J. Shepherd.

House Joint Resolution No. 1241 -- Memorials, Retirement -- Holly H. Jaynes.

Senator Jackson moved that all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 1839 -- Prisons and Reformatory Institutions -- As introduced, requires a physician to provide prenatal and postpartum medical care to pregnant prisoners and detainees; requires correctional institutions to provide pregnant prisoners nutritionally appropriate meals and supplemental provisions. Amends TCA Title 41, Chapter 21, Part 2.

On motion, Senate Bill No. 1839 was made to conform with **House Bill No. 1651**.

On motion, House Bill No. 1651, on same subject, was substituted for Senate Bill No. 1839.

House Bill No. 1651 passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senate Bill No. 2918 -- Sharon -- Subject to local approval, changes the title of marshal to police chief; removes the police chief's duty to collect taxes; removes the recorder and treasurer and police chief's term of one year; removes antiquated language regarding jails. Amends Chapter 177 of the Acts of 1901; as amended.

On motion, Senate Bill No. 2918 was made to conform with **House Bill No. 2911**.

On motion, House Bill No. 2911, on same subject, was substituted for Senate Bill No. 2918.

House Bill No. 2911 passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

MOTION

Senator Johnson moved to suspend Rules 37, 38 and 44 for the purpose of allowing all calendars for June 18, 2020 to be considered timely.

Senate Bill No. 2926 -- Madison County -- Subject to local approval, authorizes the county commission to use funds allocated to the commission from the hotel occupancy tax to make economic development grants to governmental entities and public corporations to promote community economic development, tourism, and recreational activities. Amends Chapter 324 of the Private Acts of 1980; as amended.

On motion, Senate Bill No. 2926 was made to conform with **House Bill No. 2926**.

On motion, House Bill No. 2926, on same subject, was substituted for Senate Bill No. 2926.

On motion of Senator Jackson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2926** passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2207 -- Motor Vehicles -- As introduced, extends, from September 30 to October 15 of each year, the deadline by which the governing committee of the Tennessee automobile insurance plan must submit its annual financial report to the department of commerce and insurance. Amends TCA Title 4; Title 6; Title 7; Title 12; Title 42; Title 47, Chapter 18; Title 54; Title 55; Title 56; Title 65 and Title 67.

HOUSE AMENDMENT NO. 2

AMEND by deleting Section 4 and substituting instead the following:

SECTION 4. Tennessee Code Annotated, Section 67-6-102, is amended by adding the following as a new subdivision under the subdivision defining the term "marketplace facilitator":

(C) Includes a peer-to-peer car sharing program as defined in § 67-4-1901;

Senator Johnson moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2207**, which motion prevailed by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senator Johnson moved that **Senate Bill No. 2677**, as amended, be placed on the next Message Calendar, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2156 -- Public Funds and Financing -- As introduced, changes from January 31 to March 1, the date by which the commissioner of economic and community development must report to the general assembly on the administration of the program allocating the state's bond authority among governmental units having authority to issue bonds. Amends TCA Title 3; Title 4; Title 8; Title 9 and Title 12.

Senator Bell moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 2156**, which motion prevailed.

MESSAGE CALENDAR NO. 2

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1608 -- Transportation, Dept. of -- As introduced, requires the commissioner to provide a report to the chairs of the transportation and safety committee of the senate and the

transportation committee of the house of representatives whenever rules are promulgated regulating equipment required for vehicles as a condition to using the system of state highways or establishing particular highways upon which commercial motor vehicles may operate. Amends TCA Title 55.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-201, is amended by deleting subsection (c) and substituting instead the following:

(c) Motor vehicles consisting of a truck-tractor and semitrailer or trailer combination shall be permitted to operate over the federal and state highway system; provided, that the towed vehicle shall not exceed fifty-two feet (52') in length from the point of attachment to the tractor. If the towed vehicle exceeds forty-eight feet (48') in length from the point of attachment to the tractor and the load on the vehicle does not consist of livestock, motor vehicle parts, or motor vehicles, or any combination of such items, the distance between the kingpin and a point midway between the two (2) rear axles shall not exceed forty-one feet (41'). The distance between the kingpin and the rear most axle, if the axles are not a tandem axle, shall not exceed forty-four feet (44').

SECTION 2. This act shall take effect November 1, 2020, the public welfare requiring it.

Senator Massey moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1608**, which motion prevailed by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 2

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 55-4-381, is amended by adding the following as a new subsection:

(d) Notwithstanding § 55-4-202(h)(1), The Center for Living and Learning, Inc. new specialty earmarked license plate authorized pursuant to this section shall have until July 1, 2021, to meet the applicable minimum issuance requirements of § 55-4-202(h)(1).

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Senator Massey moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1608**, which motion prevailed by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 3

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 55-4-341, is amended by adding the following as a new subsection:

(d) Notwithstanding § 55-4-202(h)(1), the University of Tennessee Health Science Center new specialty earmarked license plate authorized pursuant to this section shall have until July 1, 2021, to meet the applicable minimum issuance requirements of § 55-4-202(h)(1).

Senator Massey moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 1608**, which motion prevailed by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2381 -- Civil Procedure -- As introduced, changes, from not less than five days to not less than seven days before a hearing, the time the opposing party has to file a response to a petition under the Tennessee Public Participation Act. Amends TCA Title 1; Title 5; Title 6; Title 7; Title 8; Title 9; Title 20; Title 27; Title 28; Title 29; Title 47 and Title 49.

Senator Bell moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 2 to **Senate Bill No. 2381**, which motion prevailed.

Senator Bell moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on Senate Bill No. 2381, which motion prevailed.

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**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
SENATE BILL NO. 2381**

The Speaker announced the appointment of a Conference Committee composed of Senators Bell, Chairperson; Stevens, Powers, Gresham and Yarbrow to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 2381.

**COMMITTEE ON CALENDAR'S THIRD REPORT
ON QUALIFIED ANNUAL EVENTS FOR 2019-2020**

REPORT OF THE COMMITTEE ON CALENDAR

The Committee on Calendar recommends that the following annual events be authorized by the General Assembly in accordance with the provisions of Article XI, Section 5 of the Constitution of Tennessee, and pursuant to the Tennessee Charitable Gaming Implementation Law.

This the 11th day of March, 2019
Senator Ed Jackson, Chairperson

**Office of the Secretary of State Division of Charitable Solicitations
and Gaming Omnibus List of Qualifying Annual Event Applicants
Event Dates 7/1/2019 - 06/30/2020**

Davidson County - Total approved in this county 1

Tennessee Trucking Foundation, Inc.

Event Name	Tennessee Trucking Foundation Raffle
Event Type	Raffle
Event Address	4531 Trousdale Ave. Nashville, TN 37204
Event Date	12/17/2020

Hamilton County - Total approved in this county 1

Honoring the Sacrifice Foundation (The)

Event Name	Honoring the Sacrifice Club Car Raffle
Event Type	Raffle
Event Address	9944 Frost Ridge Drive, Ooltewah, TN 37363
Event Date	10/16/2020

Morgan County - Total approved in this county 1

Sunbright Youth Club

Event Name	Sportsman's Raffle
Event Type	Raffle
Event Address	205 Burrville Road, Sunbright, TN 37872
Event Date	10/10/2020

Overton County - Total approved in this county 1

American Legion Post 4 Bohannon

Event Name American Legion Veterans Fundraiser
Event Type Raffle
Event Address 121 S. Church Street, Livingston, TN 38570
Event Date 10/3/2020

Roane County - Total approved in this county 1

Dennis Ferguson Fishing Rodeo for Kids, Inc.

Event Name Raffle
Event Type Raffle
Event Address 3515 Roane State Hwy. Harriman, TN 37748
Event Date 8/1/2020

Shelby County - Total approved in this county 1

Agricenter International, Inc.

Event Name Feast on the Farm
Event Type Raffle
Event Address 105 S. Germantown Pkwy. Cordova, TN 38018
Event Date 6/12/2021

Senator Jackson moved that pursuant to Article XI, Section 5 of the Constitution of the State of Tennessee, that the Committee on Calendar's Third 2019-2020 Report on Charitable Gaming and Qualified Annual Events be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 26
Noes 1

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, White, Yager, Yarbrow and Mr. Speaker McNally--26.

Senators voting no were: Gardenhire--1.

A motion to reconsider was tabled.

MOTION

Senator Watson moved that Rule 83 be suspended for the purpose of allowing the Committee on Finance, Ways and Means to meet Thursday, June 18, 2020, 30 minutes after the completion of 1:00 p.m. session, to consider **Senate Bill No. 2878**, which motion prevailed.

RECESS

Senator Johnson moved the Senate stand in recess for 10 minutes, which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

RECALL OF BILL

On motion of Senator Johnson, **Senate Resolution No. 175** was recalled from the Committee on State and Local Government.

REFERRAL OF BILL

Senator Johnson moved that Senate Resolution No. 175 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Watson moved that Rule 83(8) be suspended for the purpose of placing **Senate Resolution No. 175** on the calendar for the Committee on Finance, Ways and Means for Thursday, June 18, 2020, which motion prevailed.

RECESS

Senator Johnson moved the Senate stand in recess until 3:30 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2878 with amendment; and Senate Resolution No. 175.

WATSON, Chairperson
June 18, 2020

The Speaker announced that he had referred Senate Bill No. 2878 with amendment; and Senate Resolution No. 175 to the Committee on Calendar.

MOTION

Senator Johnson moved that Rule 38 be suspended for the purpose of allowing the Consent Calendar No. 2 for Thursday, June 18, 2020 to be considered timely, which motion prevailed.

CONSENT CALENDAR NO. 2

Senate Joint Resolution No. 1352 -- Memorials, Recognition -- Americans with Disabilities Act, thirtieth anniversary.

Senate Joint Resolution No. 1353 -- Memorials, Recognition -- The Bakery Box and It's A Pear Catering.

Senate Joint Resolution No. 1354 -- Memorials, Death -- Anna Shepherd.

Senate Joint Resolution No. 1357 -- Memorials, Recognition -- Phelan Story, Maytag Dependable Leader Award.

Senate Joint Resolution No. 1358 -- Memorials, Death -- Judge John K. Wilson.

Senate Joint Resolution No. 1400 -- Memorials, Death -- Dorothy Mabry.

Senate Joint Resolution No. 1401 -- Memorials, Recognition -- Nashville State Community College, East Davidson Campus.

Senate Joint Resolution No. 1402 -- Memorials, Recognition -- Honey Alexander Center.

Senate Joint Resolution No. 1403 -- Memorials, Recognition -- Goodwill Career Solutions Center.

Senate Joint Resolution No. 1404 -- Memorials, Retirement -- Assistant Chief Tommy Walsh, Brentwood Police Department.

Senate Joint Resolution No. 1405 -- Memorials, Recognition -- Tri-Cities Military Affairs Council.

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Senate Resolution No. 182 -- Memorials, Professional Achievement -- Dr. Kathryn Edwards, 2020 John Howland Award.

Senate Resolution No. 184 -- Memorials, Professional Achievement -- Archie Moss, Jr.

Senate Resolution No. 185 -- Memorials, Retirement -- John G. Hayes.

Senate Resolution No. 187 -- Memorials, Recognition -- Morgan County Sheriff's Department.

Senate Resolution No. 189 -- Memorials, Public Service -- Robert N. "Bob" Buchanan III.

House Joint Resolution No. 1242 -- Memorials, Retirement -- Robert Gardner.

House Joint Resolution No. 1243 -- Memorials, Retirement -- Gary B. Anderson.

House Joint Resolution No. 1244 -- Memorials, Retirement -- Assistant Chief Tommy Walsh, Brentwood Police Department.

Senator Jackson moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Crowe, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

MOTION

Senator Akbari moved that Rule 37 be suspended for the immediate consideration of **Senate Resolution No. 175**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Resolution No. 175 -- Memorials, Recognition -- Juneteenth Commemoration.

On motion of Senator Akbari, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 175** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Bell moved to lift from the table a motion to reconsider on **Senate Bill No. 2741** which motion prevailed.

Senator Bell moved that the Senate reconsider its action in concurring in House Amendment No. 1 to **Senate Bill No. 2741** which motion prevailed.

HOUSE AMENDMENT NO. 1

AMEND by deleting the language "; and" from § 16-1-105(a)(2)(A)(iii) in the amendatory language of Section 1 and substituting the language ";", by deleting the period at the end of the sentence in § 16-1-105(a)(2)(A)(iv) in the amendatory language of Section 1 and substituting the language "; and", and by adding the following language as a new subdivision (a)(2)(A)(v) in § 16-1-105 in the amendatory language of Section 1:

(v) All court sessions held in a courthouse or other room located outside the county seat are made available for viewing by the public over the internet by streaming video accessible to the public.

Senator Bell moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 2741**, which motion prevailed.

RECESS

Senator Johnson moved the Senate stand in recess until 7:00 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

MOTION

Senator Johnson moved that Rules 26, 37, 38 and 44 be suspended for the purpose of allowing the Calendars for Thursday, June 18, 2020 to be considered timely, which motion prevailed.

CONSENT CALENDAR NO. 3

Senate Resolution No. 190 -- Memorials, Retirement -- Melinda Kelsey.

House Joint Resolution No. 1245 -- Memorials, Death -- Debbie Williams Cook.

House Joint Resolution No. 1246 -- Memorials, Recognition -- Larry Wallace.

Senator Jackson moved that all Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 2924 -- Benton County -- Subject to local approval, requires government-owned hotel operators to collect and remit the privilege tax on the occupancy of hotels and motels in the county. Amends Chapter 189 of the Private Acts of 1994.

On motion, Senate Bill No. 2924 was made to conform with **House Bill No. 2918**.

On motion, House Bill No. 2918, on same subject, was substituted for Senate Bill No. 2924.

Senate Bill No. 2936 -- Hardin County -- Subject to local approval, increases from six to eight members on the Hardin County General Hospital Board of Commissioners. Amends Chapter 409 of the Private Acts of 1957; as amended.

On motion, Senate Bill No. 2936 was made to conform with **House Bill No. 2932**.

On motion, House Bill No. 2932, on same subject, was substituted for Senate Bill No. 2936.

Senator Jackson moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

CALENDAR NO. 2

Senate Bill No. 2454 -- Motor Vehicles -- As enacted, authorizes operation of Class I and Class II off-highway vehicles on three segments of state routes located in Hickman County, if such vehicles are registered, insured, and equipped with safety equipment, Amends TCA Section 55-8-185.

On motion, Senate Bill No. 2454 was made to conform with **House Bill No. 2278**.

On motion, House Bill No. 2278, on same subject, was substituted for Senate Bill No. 2454.

On motion of Senator Massey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2278** passed its third and final consideration by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senate Bill No. 2878 -- Taxes, Sales -- As enacted, revises provisions governing allocation of sales and use tax revenue to certain commercial development districts in economically distressed counties; adds a county bordering three such distressed counties for purposes of the allocation. Amends TCA Title 67, Chapter 6.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-104(b)(3), is amended by adding the following as a new subdivision:

(C) On or after January 1, 2021, a county that borders at least three (3) distressed rural counties identified pursuant to subdivision (b)(3)(B);

SECTION 2. Tennessee Code Annotated, Section 67-6-104(g)(1), is amended by deleting the language "For eligible counties as defined in subdivision (b)(3)(B)" and substituting instead the language "For eligible counties as defined in subdivision (b)(3)(B) or subdivision (b)(3)(C)".

SECTION 3. Tennessee Code Annotated, Section 67-6-104(m)(1), is amended by deleting the subdivision and substituting instead the following:

(1)

(A) In the case of property located in eligible counties as defined in subdivision (b)(3)(A), have filed an application with the commissioner of finance and administration prior to December 31, 2014;

(B) In the case of property located in eligible counties as defined in subdivision (b)(3)(B), have filed an application with the commissioner of finance and administration on or after December 31, 2014, and prior to December 31, 2020; or

(C) In the case of property located in eligible counties as defined in subdivision (b)(3)(C), have filed an application with the commissioner of finance and administration on or after January 1, 2021, and no later than December 31, 2026; and

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 67-6-104(f), is amended by deleting the following:

Prior to certifying the commercial development district, the commissioner must determine that the commercial development district is not economically feasible without the tax revenue allocation contemplated in this section.

and by substituting instead:

Prior to certifying the commercial development district, the commissioner must determine that the commercial development district is not economically feasible without the tax revenue allocation contemplated in this section. Notwithstanding this section to the contrary, no tax revenue allocation shall be allowed unless the commissioners of finance and administration, revenue, and economic and community development determine, in their sole discretion, that the tax revenue allocation is in the best interest of the state. For purposes of this subsection (f), "best interest of the state" means a determination by the commissioners of finance and administration, revenue, and economic and community development that the commercial development district is a result of the tax revenue allocation provided in this section and that the economic benefits to this state resulting from the commercial development district outweigh the anticipated amount of the tax revenue allocation.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2878**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	1
Present, not voting . . .	1

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Crowe, Dickerson, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, White, Yager, Yarbrow and Mr. Speaker McNally--28.

Senators voting no were: Gardenhire--1.

Senators present and not voting were: Briggs--1.

A motion to reconsider was tabled.

MOTION

Senator Yarbrow moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Resolution No. 191**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Resolution No. 191 by Senator Yarbrow.
Memorials, Death -- Ashanti Nikole Posey.

On motion of Senator Yarbrow, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 191** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Johnson moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 1406**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 1406 by Senator Johnson.
Memorials, Death -- Officer Destin Legieza, Brentwood Police Department.

On motion of Senator Johnson, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1406** was adopted by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

RECESS

Mr. Speaker McNally moved the Senate stand in recess for 10 minutes, which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

MOTION

Senator Watson moved that Rule 83 be suspended for the purpose of allowing the Committee on Finance, Ways and Means to meet Thursday, June 18, 2020 for the purpose of considering **Senate Bill No. 681**, which motion prevailed.

The motion to suspend rules was adopted by the following vote:

Ayes	21
Noes	8

Senators voting aye were: Bailey, Bell, Crowe, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Massey, Niceley, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, and Mr. Speaker McNally--21.

Senators voting no were: Akbari, Briggs, Dickerson, Gilmore, Kelsey, Kyle, Robinson and Yarbro--8.

A motion to reconsider was tabled.

MESSAGE CALENDAR NO. 4

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2312 -- Hospitals and Health Care Facilities -- As introduced, makes various changes to the certificate of need process for healthcare facilities and services. Amends TCA Title 68, Chapter 11, Part 16.

HOUSE AMENDMENT NO. 1

AMEND by deleting the amendatory language of SECTION 1 and substituting instead the following:

As used in this part:

(1) "Agency" and "health services and development agency" mean the agency created by this part to develop the criteria and standards to guide the agency

when issuing certificates of need; to conduct studies related to health care, including needs assessments; and to administer the certificate of need program and related activities;

(2) "Certificate of need" means a permit granted by the health services and development agency to any person for those services specified as requiring a certificate of need under § 68-11-1607 at a designated location;

(3) "Conflict of interest" means any matter before the agency in which the member or employee of the agency has a direct interest or indirect interest that is in conflict or gives the appearance of conflict with the discharge of the member's or employee's duties;

(4) "Department" means the department of health;

(5) "Direct interest" means a pecuniary interest in the persons involved in a matter before the agency, and applies to the agency member or employee, the agency member's or employee's relatives, or an individual with whom or business in which the member or employee has a pecuniary interest. As used in this subdivision (5), "relative" means a spouse, parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, or nephew by blood, marriage, or adoption;

(6) "Ex parte communications" means communications in violation of § 4-5-304 or § 68-11-1607(d);

(7) "Facility" means any real property owned, leased, or used by a healthcare institution for any purpose, other than as an investment;

(8) "Health service" means clinically related services, such as diagnostic, treatment, or rehabilitative services, and includes those services specified as requiring a certificate of need under § 68-11-1607;

(9) "Healthcare institution":

(A) Means any agency, institution, facility, or place, whether publicly or privately owned or operated, that provides health services and that is one (1) of the following: nursing home; hospital; ambulatory surgical treatment center; intellectual disability institutional habilitation facility; home care organization or any category of service provided by a home care organization for which authorization is required under part 2 of this chapter; outpatient diagnostic center; rehabilitation facility; residential hospice; or nonresidential substitution-based treatment center for opiate addiction; and

(B) Does not include:

(i) Ground ambulances;

(ii) Homes for the aged;

(iii) Any premises occupied exclusively as the professional practice office of a:

(a) Physician licensed pursuant to title 63, chapter 6, part 2 or title 63, chapter 9; or

(b) Dentist licensed by the state and controlled by the physician or dentist;

(iv) Administrative office buildings of public agencies related to healthcare institutions;

(v) Christian Science sanatoriums operated, or listed and certified, by the First Church of Christ Scientist, Boston, Massachusetts;

(vi) A mental health residential treatment facility; or

(vii) A mental health hospital;

(10) "Home care organization" means any entity licensed as such by the department that is staffed and organized to provide "home health services" or "hospice services," as defined by § 68-11-201, to patients in either their regular or temporary place of residence;

(11) "Indirect interest" means a personal interest in the persons involved in a matter before the agency that is in conflict with the discharge of the agency member's or employee's duties;

(12) "Letter of intent" means the form prescribed by the agency that requires a brief project description, location, estimated project cost, owner of the project, and description of services to be performed;

(13) "Licensed beds" means the number of beds licensed by the agency having licensing jurisdiction over the facility;

(14) "Micro hospital" means a facility required to be licensed as a hospital under this title that has no more than ten (10) beds for admitted patients and that offers services that include, but are not limited to, the following:

(A) Emergency medical services;

(B) Inpatient care;

(C) Laboratory services;

(D) Pharmacy services; and

(E) Surgical services;

(15) "Needs assessment" means an annual report that measures access to health care in this state, particularly as to emergency and primary care; identifies access gaps; and serves to inform the criteria and standards for the issuance of certificates of need;

(16) "Nonresidential substitution-based treatment center for opiate addiction" includes, but is not limited to, stand-alone clinics offering methadone, products containing buprenorphine such as Subutex and Suboxone, or products containing any other formulation designed to treat opiate addiction by preventing symptoms of withdrawal;

(17) "Nursing home" has the same meaning as defined in § 68-11-201;

(18) "Nursing home bed" means:

(A) Any licensed bed within a nursing home, regardless of whether the bed is certified for medicare or medicaid services; and

(B) Any bed at a healthcare institution used as a swing bed under 42 C.F.R. § 485.645;

(19) "Patient" includes, but is not limited to, any person who has an acute or chronic physical or mental illness or injury; who is convalescent, infirm, or has an intellectual or physical disability; or who is in need of obstetrical, surgical, medical, nursing, psychiatric, or supervisory care;

(20) "Pediatric patient" means a patient who is seventeen (17) years of age or younger;

(21) "Person":

(A) Means any individual, trust or estate, firm, partnership, association, stockholder, joint venture, corporation or other form of business organization, the state of Tennessee and its political subdivisions or parts of political subdivisions, and any combination of persons specified in this subdivision (21), public or private; and

(B) Does not include the United States or any agency or instrumentality of the United States, except in the case of voluntary submission to the rules established pursuant to this part;

(22) "Planning division" and "state health planning division" means the state health planning division of the department, which is created by this part to develop the state health plan and to conduct other related studies;

(23) "Rehabilitation facility" means an inpatient or residential facility that is operated for the primary purpose of assisting in the rehabilitation of physically disabled persons through an integrated program of medical and other services that is provided under professional supervision;

(24) "Review cycle" means the timeframe set for the review and initial decision on applications for certificate of need applications that have been deemed complete, with the fifteenth day of the month being the first day of the review cycle; and

(25) "State health plan" means the plan that is developed by the state health planning division pursuant to this part.

AND FURTHER AMEND by deleting the amendatory language of SECTION 6 and substituting instead the following:

In addition to the powers granted elsewhere in this part, the agency has the duty and responsibility to:

(1) Develop criteria and standards to guide the agency when issuing certificates of need that are:

(A) Based, in whole or in part, upon input the agency received during development of the criteria and standards from the division of TennCare, or its successor; the departments of health, mental health and substance abuse services, and intellectual and developmental disabilities; the health and welfare committee of the senate; and the health committee of the house of representatives;

(B) Evaluated and updated not less than once every five (5) years; and

(C) Developed by rule in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

(2) Receive and consider applications for certificates of need, to review recommendations on certificates of need, and to grant or deny certificates of need on the basis of the merits of the applications within the context of the local, regional, and state health needs, including, but not limited to, the criteria and standards developed in accordance with this part;

(3) Conduct studies related to health care, including a needs assessment that must be updated at least annually;

(4) Promulgate rules and policies deemed necessary by the agency for the fulfillment of its duties and responsibilities under this part, including a procedure for the issuance of a certificate of need upon an emergency application if an unforeseen event necessitates the issuance of a certificate of need to protect the public health, safety, and welfare, and if the public health, safety, and welfare would be unavoidably jeopardized by compliance with the procedures established under this part;

(5) Contract when necessary for the development of criteria and standards to guide the agency when issuing certificates of need and for the implementation of the certificate of need program described in this part;

(6) Weigh and consider access to quality health care and the healthcare needs of consumers, particularly those in underserved communities; those who are uninsured or underinsured; women and racial and ethnic minorities; TennCare or medicaid recipients; and low income groups whenever the agency performs its duties or responsibilities assigned by law; and

(7) Issue exemptions from the voiding of a certificate of need and any activity authorized by the certificate of need pursuant to § 68-11-1609(i), if the actions the certificate of need authorizes are not performed for a continuous period of one (1) year after the certificate of need is implemented.

AND FURTHER AMEND by deleting the amendatory language of SECTION 7 and substituting instead the following:

(c) The executive director has the following duties:

(1) Administer the development of criteria and standards to guide the agency when issuing certificates of need;

(2) Administer the certificate of need program;

(3) Conduct studies related to health care;

(4) Represent the agency before the general assembly;

(5) Oversee the issuance of responses to requests for determination regarding the applicability of this part;

(6) Issue exemptions from the requirement that a certificate of need be obtained for the relocation of existing or certified facilities providing healthcare services and healthcare institutions under § 68-11-1607(a)(4);

(7) Keep a written record of all proceedings and transactions of the agency, which must be open to public inspection during regular office hours;

(8) Prepare the agenda, including consent and emergency calendars, and notice to the general public of all meetings and public hearings of the agency;

(9) Employ personnel, within the agency's budget, to assist in carrying out this part;

(10) Carry out all policies and rules that are promulgated by the agency and supervise the expenditure of funds; and

(11) Submit a proposal to the general assembly no later than January 1, 2021, detailing objectives, governance issues, costs, and implementation timelines of a state all payer claims database.

AND FURTHER AMEND by deleting subsection (a) from the amendatory language of SECTION 10 and substituting instead the following:

(a) No person shall perform any of the following actions in this state, except after applying for and receiving a certificate of need for the action:

(1) The construction, development, or other establishment of any type of healthcare institution as described in this part;

(2) In the case of a healthcare institution, any change in the bed complement, regardless of cost, that:

(A) Increases by one (1) or more the number of nursing home beds;

(B) Redistributes beds from any category to acute, rehabilitation, child and adolescent psychiatric, adult psychiatric, or long-term care; or

(C) Relocates beds to another facility or site;

(3) Initiation of any of the following healthcare services: burn unit, neonatal intensive care unit, open heart surgery, organ transplantation, cardiac catheterization, linear accelerator, home health, hospice, or opiate addiction treatment provided through a nonresidential substitution-based treatment center for opiate addiction;

(4)

(A) A change in the location of existing or certified facilities providing healthcare services and healthcare institutions. However, the executive director may issue an exemption for the relocation of existing healthcare institutions and approved services when the executive director determines that:

(i) At least seventy-five percent (75%) of patients to be served are reasonably expected to reside in the same zip codes as the existing patient population; and

(ii) The relocation will not reduce access to consumers, particularly those in underserved communities; those who are uninsured or underinsured; women and racial and ethnic minorities; TennCare or medicaid recipients; and low income groups. The executive director must notify the agency of any exemption granted pursuant to this subdivision (a)(4)(A); and

(B) The relocation of the principal office of a home health agency or hospice within its licensed service area does not require a certificate of need;

(5) Initiation of magnetic resonance imaging;

(6) Increasing the number of magnetic resonance imaging machines, except for replacing or decommissioning an existing machine;

(7) Establishing a satellite emergency department facility or a satellite inpatient facility by a hospital at a location other than the hospital's main campus; and

(8) Initiation of positron emission tomography.

AND FURTHER AMEND by deleting subsection (g) from the amendatory language of SECTION 10 and substituting instead the following:

(g) After a person holding a certificate of need has completed the actions for which a certificate of need was granted, the time to complete activities authorized by the certificate of need expires.

AND FURTHER AMEND by deleting subdivision (m)(2) from the amendatory language of SECTION 10 and substituting instead the following:

(2) In any county with a population in excess of one hundred thousand (100,000), according to the 2010 federal census or any subsequent federal census, any person who initiates magnetic resonance imaging services shall notify the agency in writing that imaging services are being initiated and shall indicate whether pediatric patients will be provided imaging services.

AND FURTHER AMEND by deleting subsection (o) from the amendatory language of SECTION 10 and substituting instead the following:

(o) After receiving a certificate of need, an outpatient diagnostic center must become accredited by the American College of Radiology in the modalities provided by that facility within a period of time set by rule by the agency as a condition of receiving a certificate of need.

AND FURTHER AMEND by deleting subsection (q) from the amendatory language of SECTION 10 and substituting instead the following:

(q)

(1) This part does not require a certificate of need for any actions in a county that, as of January 1, 2020:

(A) Is designated as an economically distressed eligible county by the department of economic and community development pursuant to § 67-6-104, as updated annually; and

(B) Has no hospital that is actively licensed under this title located within the county.

(2) This part does not require a certificate of need for any action in a county that is designated as an economically distressed eligible county by the department of economic and community development pursuant to § 67-6-104, as updated annually, and that has a hospital that is actively licensed under this title located within the county, if the licensed hospital does not perform the

action. Actions excepted by this subdivision (q)(2) include, but are not limited to, establishing an outpatient diagnostic center or ambulatory surgical treatment center necessary to perform diagnostic or surgical services that are not provided by the licensed hospital.

(3) Any person that provides positron emission tomography services or magnetic resonance imaging services pursuant to this subsection (q) must be accredited by the Joint Commission or American College of Radiology in the modalities provided by that person within two (2) years of the initiation of service.

AND FURTHER AMEND by deleting subsection (r) from the amendatory language of SECTION 10 and substituting instead the following:

(r) This part does not require a certificate of need to establish a home health agency limited to providing home health services under the federal Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) (42 U.S.C. § 7384, et seq.), or any subsequent amendment, revision, or modification to the EEOICPA. Any license issued by the department pursuant to this subsection (r) for services under the EEOICPA must be limited to the provision of only those services. Any home health agency providing home health services without a certificate of need pursuant to this subsection (r) must be accredited by the Joint Commission, the Community Health Accreditation Partner, or the Accreditation Commission for Health Care.

AND FURTHER AMEND by deleting subsection (s) from the amendatory language of SECTION 10 and substituting instead the following:

(s)

(1) Nothing in this part requires a certificate of need to establish a home health agency limited to providing home health services to patients less than eighteen (18) years of age. Any license issued by the department pursuant to this subsection (s) for the provision of home health services to patients under eighteen (18) years of age must be limited to the provision of only those services.

(2) The agency may permit a home health agency providing home health services to patients under eighteen (18) years of age to continue providing home health services to the patient until the patient reaches twenty-one (21) years of age if:

(A) The patient received home health services from the home health agency prior to the date the patient reached eighteen (18) years of age; and

(B) The home health services are provided under a TennCare program.

(3) Any home health agency that provides home health services without a certificate of need pursuant to this subsection (s) must be accredited by:

(A) An accrediting organization with deeming authority from the federal centers for medicare and medicaid services;

(B) The Joint Commission;

(C) The Community Health Accreditation Partner; or

(D) The Accreditation Commission for Health Care.

AND FURTHER AMEND by adding the following to SECTION 10 as a new subsection (u):

(u)

(1) This part does not require a certificate of need to establish or operate the following in a county with a population in excess of one hundred thousand (100,000), according to the 2010 federal census or any subsequent federal census:

(1) An ambulatory surgical treatment center;

(2) A free-standing emergency department;

(3) Initiation of magnetic resonance imaging services for non-pediatric patients or increasing the number of magnetic resonance imaging machines used for non-pediatric patients;

(4) Initiation of positron emission tomography; or

(5) An outpatient diagnostic center.

(2) An outpatient diagnostic center established without a certificate of need pursuant to this subsection (u) must become accredited by the American College of Radiology in the modalities provided by that facility within two (2) years of the date of licensure.

(3) A provider of positron emission tomography established without a certificate of need pursuant to this subsection (u) must become accredited by the American College of Radiology within two (2) years of the date of licensure.

AND FURTHER AMEND by adding the following to SECTION 10 as a new subsection (v):

(v) This part does not require a certificate of need to establish or operate a micro hospital.

AND FURTHER AMEND by adding the following to SECTION 10 as a new subsection (w):

(w)

(1) Each person who performs the following actions shall file an annual report as described in this subsection (w) with the health services and development agency:

- (A) Cardiac catheterization;
- (B) Open heart surgery;
- (C) Organ transplantation;
- (D) Operation of a burn unit;
- (E) Operation of a neonatal intensive care unit;
- (F) Provision of home health services; or
- (G) Provision of hospice services.

(2) The annual report required by subdivision (w)(1) must be submitted in a manner and on forms prescribed by the agency, and must include utilization data according to source of payment and zip codes of patient origin.

(3) Each person required to submit an annual report by this subsection (w) must submit the annual report for the period coinciding with the state fiscal year ending June 30, 2020, on or before September 30, 2020. The annual report for each subsequent fiscal year must be submitted to the agency no later than thirty (30) days following the end of each state fiscal year.

(4) The agency may impose a civil penalty not to exceed fifty dollars (\$50.00) per day, for each day an annual report required by this subsection (w) is late.

AND FURTHER AMEND by deleting subsection (c) from the amendatory language of SECTION 12 and substituting instead the following:

(c) Activity authorized by a certificate of need must be completed within a period not to exceed three (3) years for hospital projects, and two (2) years for all other projects, from the date of its issuance and after such time the certificate of need authorization expires. However, the agency may, in granting the certificate of need, allow longer periods of validity for certificates of need for good cause shown. Subsequent to granting the certificate of need, the agency may extend a certificate of need for a period upon application and good cause shown, accompanied by a nonrefundable reasonable filing fee, as prescribed by rule. A certificate of need authorization that has been extended expires at the end of the extended time period. The decision whether to grant an extension is within the sole discretion of the agency and is not subject to review, reconsideration, or appeal.

AND FURTHER AMEND by deleting subsection (d) from the amendatory language of SECTION 12 and substituting instead the following:

(d) If the time period authorized by a certificate of need has expired, then the certificate of need authorization is void. No revocation proceeding is required. No license or occupancy approval may be issued by the department of health or the department of mental health and substance abuse services for any activity for which a certificate of need has become void.

AND FURTHER AMEND by deleting subsection (i) from the amendatory language of SECTION 12 and substituting instead the following:

(i)

(1) Notwithstanding any law to the contrary, and except as provided in subdivision (i)(2), a certificate of need and any activity it authorizes becomes void if the actions it authorizes have not been performed for a continuous period of one (1) year after the date the certificate of need is implemented. With respect to a home care organization, this subsection (i) applies to each county for which the home care organization is licensed. No revocation proceeding is required. The department of health and the department of mental health and substance abuse services shall not issue or renew a license for any activity for which certificate of need authorization has become void.

(2)

(A) The agency may issue a temporary exemption to subdivision (i)(1) upon finding that sufficient cause for the temporary cessation of the activity has been presented to the agency along with a plan to resume the activity in the future.

(B) The agency shall prescribe the procedures for issuing temporary exemptions by rule.

(C) The agency's approval or denial of a temporary exemption is a final agency decision subject to appeal in the chancery court of Davidson County.

(3) This subsection (i) does not apply to the establishment of a healthcare institution or a healthcare institution's number of licensed beds if the healthcare institution has a license issued under this title, whether active or inactive.

AND FURTHER AMEND by deleting the amendatory language of SECTION 14 and substituting instead the following:

(i) All costs of the contested case proceeding and any appeals, including the administrative law judge's costs and deposition costs, such as expert witness fees and reasonable attorney's fees, must be assessed against the losing party in the contested case. If there is more than one (1) losing party, then the costs must be

divided equally among the losing parties. Costs must not be assessed against the agency.

AND FURTHER AMEND by deleting SECTION 24 and substituting instead the following:

SECTION 24. Tennessee Code Annotated, Section 68-11-1625, is amended by deleting the language "department of finance and administration" wherever it appears and substituting instead the language "department of health"; by deleting subdivision (d)(2) and renumbering the remaining subdivisions accordingly; and by deleting subsections (e) and (f).

AND FURTHER AMEND by deleting SECTION 26 and substituting instead the following:

SECTION 26. Tennessee Code Annotated, Section 68-11-1628, is amended by deleting the section.

AND FURTHER AMEND by deleting SECTION 27 and substituting instead the following:

SECTION 27. Tennessee Code Annotated, Section 68-11-1629, is amended by deleting the section.

SECTION 28. Tennessee Code Annotated, Section 68-11-1631, is amended by deleting the section.

SECTION 29. Tennessee Code Annotated, Section 68-11-1632, is amended by deleting the section.

SECTION 30. Tennessee Code Annotated, Section 68-11-1633, is amended by deleting the section and substituting the following:

(a) In consultation with the department of health, the department of mental health and substance abuse services, and the department of intellectual and developmental disabilities, and subject to § 68-11-1609(h), the agency shall develop measures by rule for assessing quality for entities that, on or after July 1, 2016, receive a certificate of need under this part. In developing quality measures, the agency may seek the advice of stakeholders with respect to certificates of need for specific institutions or services.

(b) If the agency determines that an entity has failed to meet the quality measures developed under this section, then the agency shall refer that finding to the board for licensing healthcare facilities or the department of mental health and substance abuse services, whichever is appropriate, for appropriate action on the license of the entity under part 2 of this chapter.

(c) If the agency determines that an entity has failed to meet any quality measure imposed as a condition for a certificate of need by the agency, then the agency may impose penalties pursuant to § 68-11-1617 or revoke a certificate of need pursuant to § 68-11-1619.

SECTION 31. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Gardenhire moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 2312**, which motion prevailed.

HOUSE AMENDMENT NO. 2

AMEND by adding the following to the amendatory language of SECTION 10 as a new subsection:

()

(1) This part does not require a certificate of need to establish a home care organization limited to providing home health services, as defined in § 68-11-201, to patients under the care of a healthcare research institution, as defined in § 68-11-1901.

(2) Any license issued by the department pursuant to the exception created by this subsection () must be limited to the provision of services only to the patients of the healthcare research institution, as defined in § 68-11-1901, or the patients of a hospital or clinic that has its principal place of business located in this state and that is affiliated with the healthcare research institution.

(3) Any home care organization that provides home health services without a certificate of need pursuant to this subsection () must, within twelve (12) months of the date the home care organization is granted a license by the department, be accredited by the Joint Commission, the Community Health Accreditation Partner, DNV GL Healthcare, or the Accreditation Commission for Health Care in order to continue to qualify for the exception created by this subsection ().

Senator Gardenhire moved that the Senate nonconcur in House Amendment No. 2 to **Senate Bill No. 2312**, which motion prevailed.

HOUSE AMENDMENT NO. 3

AMEND by adding the language "mental health hospital;" after the language "ambulatory surgical treatment center;" in subdivision (9)(A) in SECTION 1.

AND FURTHER AMEND in SECTION 1 by deleting subdivision (9)(B)(vii); by deleting the language "or" after subdivision (9)(B)(vi); and by adding the language "or" after subdivision (9)(B)(v).

AND FURTHER AMEND by adding the following as a new appropriately designated subdivision in SECTION 1:

() "Micro mental health hospital" means a facility required to be licensed as a mental health hospital under title 33 that has no more than ten (10) beds for admitted patients;

AND FURTHER AMEND by adding the following to the amendatory language of SECTION 10 as a new subsection:

() This part does not require a certificate of need to establish or operate a micro mental health hospital in any county with a population less than one hundred fifty thousand (150,000), according to the 2010 federal census or any subsequent federal census.

AND FURTHER AMEND by deleting from SECTION 10 the language "home health agency" wherever it appears and substituting instead the language "home care organization".

AND FURTHER AMEND by deleting the amendatory language of SECTION 14 and substituting instead the following:

(i) All costs of the contested case proceeding and any appeals, including the administrative law judge's costs and deposition costs, such as expert witness fees and

reasonable attorney's fees, must be assessed against the losing party in the contested case. If there is more than one (1) losing party, then the costs must be divided equally among the losing parties. Costs must not be assessed against the agency or against any applicant for a certificate of need who is defending the approval of the applicant's certificate of need application.

AND FURTHER AMEND by deleting SECTION 17 and substituting instead the following:

SECTION 17. Tennessee Code Annotated, Section 68-11-1614, is amended by deleting the section and substituting the following:

(a) The commissioner of health shall provide the agency with aggregate data from the hospital discharge database and ambulatory surgical treatment center discharge database within fourteen (14) business days from the commissioner's receipt of a request. The information must include aggregate data by state, county, or zip code, as requested. The information must not include any patient identifiers that would lead to a patient's identity, such as name or street address. All information received pursuant to this section must be available for public disclosure by the agency, as long as it does not contain any patient identifiers.

(b) The commissioner of mental health and substance abuse services shall provide the agency with aggregate data about nonresidential substitution-based treatment centers for opiate addiction licensed in Tennessee within fourteen (14) business days from the commissioner's receipt of a request. The information must include aggregate data about patient origin by state, county, or zip code, as requested, at licensee treatment centers in this state. The information must not include any patient identifiers that would lead to a patient's identity, such as name or street address. All information received pursuant to this section must be available for public disclosure by the agency, as long as it does not contain any patient identifiers.

(c) The commissioners of health, mental health and substance abuse services, and intellectual and developmental disabilities may submit written reports or statements and they may also send representatives to testify before the agency to inform the agency with respect to applications.

AND FURTHER AMEND by deleting SECTION 23 and substituting instead the following:

SECTION 23. Tennessee Code Annotated, Section 68-11-1623, is amended by deleting the section and substituting the following:

(a) All fees and civil penalties authorized by this part must be paid by the health services and development agency or the collecting agency to the state treasurer and deposited in the state general fund and credited to a separate account for the agency. Fees include, but are not limited to, fees for the application of certificates of need, subscriptions, project cost overruns, copying, and contested cases. Disbursements from that account may only be made for the purpose of defraying expenses incurred in the implementation and enforcement of this part by the agency. Funds remaining in the account at the end of any fiscal year do not revert to the general fund but remain available for expenditure in accordance with law.

(b) The agency shall prescribe fees by rule as authorized by this part. The fees must be in an amount that, in addition to the fees prescribed in subsection (c), provides for the cost of administering the implementation and enforcement of this part by the agency. Fees prescribed by the agency must be adjusted as necessary to provide that the account is fiscally self-sufficient and that revenues from fees do not exceed necessary and required expenditures.

(c) The department of health shall annually collect the following schedule of fees from healthcare providers, and the fees must be paid to the state treasurer and deposited in the state general fund and credited to the agency's separate account. The following schedule applies:

- (1) Residential hospice \$100 per license;
- (2) Nursing homes 1-50 beds \$500 per license;
- (3) Nursing homes 51-100 beds \$1,500 per license;
- (4) Nursing homes 101+ beds \$2,500 per license;
- (5) Hospitals 1-100 beds \$2,000 per license;
- (6) Hospitals 101-200 beds \$3,500 per license;
- (7) Hospitals 201+ beds \$5,000 per license;
- (8) Ambulatory surgical treatment centers \$1,000 per license;

(9) Outpatient diagnostic centers \$1,000 per license;

(10) Home care organizations authorized to provide home health services or hospice services \$500 per license;

(11) Birthing Centers..... \$50 per license;

(12) Nonresidential substitution-based treatment centers for opiate addiction \$500 per license;

(13) Intellectual disability institutional habilitation facilities \$100 per license.

AND FURTHER AMEND by deleting the effective date section and substituting instead the following:

SECTION __. Section 23 of this act shall take effect July 1, 2020, the public welfare requiring it. The remainder of this act shall take effect January 1, 2021, the public welfare requiring it, and applies to certificate of need applications filed on or after that date.

Senator Gardenhire moved that the Senate nonconcur in House Amendment No. 3 to **Senate Bill No. 2312**, which motion prevailed.

HOUSE AMENDMENT NO. 4

AMEND by deleting from subdivision (m)(2) in the amendatory language of SECTION 10 the language "one hundred thousand (100,000)" and substituting instead the language "one hundred seventy-five thousand (175,000)".

AND FURTHER AMEND by deleting from subsection (u) in the amendatory language of SECTION 10 the language "one hundred thousand (100,000)" and substituting instead the language "one hundred seventy-five thousand (175,000)".

Senator Gardenhire moved that the Senate nonconcur in House Amendment No. 4 to **Senate Bill No. 2312**, which motion prevailed.

MOTION

Senator Roberts moved that Rule 44 be suspended for the purpose of considering **House Bill No. 1772**, next out of order, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1772 -- Sunset Laws -- As enacted, extends the state capitol commission to June 30, 2026; adds two citizen members to the commission, with one to be appointed by the speaker

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of the senate and one to be appointed by the speaker of the house. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 8.

Senator Roberts moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 1772**, which motion prevailed.

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1827. The House refused to recede from its action in nonconcurring in Senate Amendment No. 2. The Speaker appointed a Conference Committee composed of Reps. Haston, White, Cochran and DeBerry to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 1827.

TAMMY LETZLER
Chief Clerk

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 1827**

The Speaker announced the appointment of a Conference Committee composed of Senators Gresham, Chairperson; Bell and Akbari to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 1827.

NOTICE

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2156. The House refused to recede from its action in nonconcurring in Senate Amendment No.1. The Speaker appointed a Conference Committee composed of Reps.Boyd, Marsh and Towns to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 2156.

TAMMY LETZLER
Chief Clerk

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 2156**

The Speaker announced the appointment of a Conference Committee composed of Senators Briggs, Chairperson; Bell and Gilmore to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 2156.

RECESS

Senator Johnson moved the Senate stand in recess until 10:30 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1772. The House refused to recede from its action in nonconcurring in Senate Amendment No. 1. The Speaker appointed a Conference Committee composed of Reps. Daniel, Lamberth and Hardaway to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 1772.

TAMMY LETZLER,
Chief Clerk

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 1772**

The Speaker announced the appointment of a Conference Committee composed of Senators Roberts, Chairperson; Rose and Pody to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 1772.

NOTICE

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, Senate Bill No. 2312. The House refused to recede from its action in adopting House Amendments Nos. 1, 2, 3 and 4.

TAMMY LETZLER,
Chief Clerk

Senator Gardenhire moved that the Senate refuse to recede from its action in nonconcurring in House Amendments Nos. 1, 2, 3 and 4 to **Senate Bill No. 2312**, which motion prevailed.

MOTION

Senator Gardenhire moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on Senate Bill No. 2312, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 2312**

The Speaker announced the appointment of a Conference Committee composed of Senators Gardenhire, Chairperson; Reeves and Akbari to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 2312.

MESSAGE CALENDAR NO. 3

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1778 -- Real Property -- As enacted, requires short-term rental unit marketplaces to collect and remit local occupancy taxes for short-term rental units secured through the marketplace beginning January 1, 2021; enacts provisions governing classification of certain residential property used as a short-term rental; revises and enacts other related provisions. Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68.

HOUSE AMENDMENT NO. 2

AMEND by deleting Section 11 and substituting instead the following:

SECTION 11. Tennessee Code Annotated, Section 67-5-801(b), is amended by designating the existing language as subdivision (1) and adding the following new subdivisions:

(2) Notwithstanding subdivision (b)(1), when a parcel of real property is the principal residence of its owner, contains not more than one (1) rental unit, and is used as a short-term rental unit, as defined by § 13-7-602, the assessor of property should presume the classification of the property is residential.

(3) When a parcel is classified as residential under subdivision (b)(2), the same owner of the property may request residential classification for a maximum of one (1) additional parcel in this state and the assessor of property should presume residential classification when the one (1) additional parcel meets the following conditions:

(A) The parcel of real property contains not more than one (1) rental unit;

(B) The property is used as a short-term rental unit, as defined by § 13-7-602;

(C) The owner of the property lives on the property a minimum of fourteen (14) days each year or at least ten percent (10%) of the number of days the property is rented as a short-term rental unit, whichever is greater; and

(D) The owner of the property annually files a written affidavit with the assessor of property by September 1 of the prior year verifying that the property meets all requirements and the owner has no more than one (1) additional parcel in addition to their principal residence under this section.

Senator Stevens moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1778**, which motion prevailed by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Briggs, Crowe, Dickerson, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--29.
A motion to reconsider was tabled.

Senator Johnson moved that **Senate Bill No. 2677**, as amended, be rereferred to the Committee on Calendar.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 2381/HOUSE BILL NO. 2623**

The report was received and filed with the clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 2381/HOUSE BILL NO. 2623**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2623 (Senate Bill No. 2381) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding Sections 2 through 8 as a new part.

SECTION 2. This part shall be known and may be cited as the "Tennessee Recovery and Safe Harbor Act."

SECTION 3. As used in this part:

(1) "Coronavirus" means both the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019, commonly referred to as COVID-19, for which the governor issued Executive Order Number 14 declaring a state of emergency, including any mutation of the virus or disease that is the subject of a declared public health emergency pursuant to § 58-2-107;

(2) "Covered entity" means the following entities, organizations, and any employee, volunteer, independent contractor, and subcontractor of the entity:

(A) A person, including an individual, sole proprietorship, corporation, limited liability company, partnership, trust, religious organization, association, nonprofit organization described in § 501(c) of the Internal Revenue Code that is exempt from federal income taxation under § 501(a) of the Internal Revenue Code, 26 U.S.C. § 501(a), or any other legal entity whether formed as a for-profit or not-for-profit entity pursuant to title 48;

(B) A healthcare provider; and

(C) A school, including a child care agency, as defined in § 71-3-501, child care program, as defined in § 49-1-1102, preschool, nursery school, kindergarten, elementary school, secondary school, or postsecondary institution that is authorized or exempt under title 49, chapter 7, but not including a public school as defined by § 49-6-3001 or public postsecondary institution;

(3) "Health emergency claim" means any claim that proximately arises from:

(A) The actual, alleged, or possible exposure to or contraction of coronavirus from a covered entity's operations, products, or services, whether provided on or off the premises of the covered entity; or

(B) The covered entity's actions in response to coronavirus including:

(i) Implementing policies and procedures to prevent or minimize the spread of coronavirus;

(ii) Testing;

(iii) Monitoring, collecting, reporting, tracking, tracing, disclosing, or investigating coronavirus exposure or other coronavirus-related information;

(iv) Using, designing, manufacturing, providing, donating, or servicing precautionary, diagnostic, collection, or other health equipment or supplies, such as personal protective equipment;

(v) Closing, partially closing, or modifying a covered entity pursuant to public health guidance or to prevent or minimize the spread of coronavirus;

(vi) Delaying or modifying the schedule or performance of any medical procedure in response to public health guidance; or

(vii) Providing services or products in response to government appeal or the covered entity's repurposing operations to address an urgent need for personal protective equipment, sanitation products, or other products necessary to protect the public;

(4) "Healthcare provider" means:

(A) A healthcare provider that is licensed, certified, or authorized under title 33, 63, or 68 to provide healthcare or support services, or that is licensed to provide healthcare services under federal law, and any support personnel employed by or contracted with such provider;

(B) A student, intern, or resident acting under the supervision of a licensed healthcare provider for the discipline in which the student, intern, or resident is engaged; and

(C) Any medical or healthcare professional, individual, support personnel, or entity holding a license, registration, permit, certification, or approval pursuant to an executive order, including a temporary emergency license, registration, permit, certification, or approval, to practice a healthcare profession or occupation in this state, including under the Public Readiness and Emergency Preparedness Act and the final version of the U.S. Department of Homeland Security Cybersecurity and Infrastructure Security Agency Guidance on Essential Critical Infrastructure Workers, and any declaration of the federal department of health and human services in accordance with such act, under any emergency proclamation, order, or rule, adopted by a licensing board or agency pursuant to an authorizing emergency proclamation or executive order, or otherwise in response to the coronavirus; and

(5) "Public health guidance" means any of the following that is related to coronavirus and applicable to the covered entity:

(A) Guidance or direction provided in any plan, order, rule, request, or guidelines issued by:

(i) The president of the United States;

(ii) The federal or state government;

(iii) A local government, as authorized by the state government;

(iv) The federal centers for disease control and prevention;

(v) The department of homeland security;

(vi) An applicable federal or state occupational safety and health administration;

(vii) The governor;

(viii) The department of health; or

(ix) A public health department, as authorized by state government; or

(B) Guidance from or approved by any government agency or appointed taskforce or workgroup or medical specialty society accredited by the American Board of Medical Societies that is applicable to a covered entity and healthcare provider or to the health emergency claim at issue.

SECTION 4.

(a)

(1) In a health emergency claim, the claimant must plead specific facts with particularity from which a finder of fact could reasonably conclude that the harm alleged was caused by the covered entity's gross negligence or willful misconduct and, if public health guidance applicable to the covered entity had been issued, that the covered entity did not substantially comply with any public health guidance applicable to the covered entity.

(2) In a health emergency claim based on exposure to or contraction of coronavirus as a result of gross negligence or willful misconduct:

(A) The claimant must file a verified complaint; or

(B) The claimant or the claimant's counsel must file a certificate of good faith with the complaint stating that the claimant or claimant's counsel has consulted with one (1) or more experts who have provided a signed written statement confirming that the expert is competent to express an opinion on exposure to or contraction of coronavirus and, upon information and belief, the expert believes there is a good faith basis for maintaining the claim.

(3) The failure of a claimant to file a verified complaint or certificate of good faith, if required by subdivision (a)(2), makes upon motion, the action subject to dismissal with prejudice.

(b)

(1) Notwithstanding any law to the contrary, a covered entity is not liable for damages, injury, or death that results from, or in connection with, a health emergency claim unless the claimant proves by clear and convincing evidence that:

(A) The covered entity caused the damages, injury, or death by acting with gross negligence or willful misconduct; and

(B) If public health guidance applicable to the covered entity had been issued, the covered entity did not substantially comply with any public health guidance applicable to the covered entity.

(2) In addition to the limitation of liability provided under subdivision (b)(1), and notwithstanding any law to the contrary, a healthcare provider is not liable for any injury or death alleged to have been caused by an act or omission of the healthcare

provider during the provision of healthcare services or treatment if the act or omission was caused by a lack of resources due to the coronavirus unless the lack of resources resulted from the healthcare provider's gross negligence or willful misconduct.

(c) In any action brought under this section, the plaintiff bears the burden of proof to demonstrate the specific act or omission by the covered entity that constitutes gross negligence or willful misconduct.

SECTION 5. This part does not amend, repeal, or limit any immunity, defense, or right that exists under current law or any contract that applies to a covered entity in a cause of action filed on or after March 5, 2020, the date of the first confirmed case of coronavirus reported by the department of health. The limitation of liability provided by this part is intended to be in addition to any other immunity, defense, and right that exist under current law or contract.

SECTION 6. This part must be construed in conjunction with the Facilitating Business Rapid Response to State-Declared Disaster Act, compiled in title 58, chapter 2, and any emergency order or proclamation issued by the governor relating to the coronavirus and civil liability.

SECTION 7. This part does not:

- (1) Create a cause of action;
- (2) Eliminate a required element of any existing cause of action;
- (3) Affect workers' compensation claims, under the Workers' Compensation Law, compiled in title 50, chapter 6, including the exclusive application of such law; or
- (4) Amend, repeal, alter, or affect any immunity or limitation of liability available under current law.

SECTION 8.

(a) This part applies to all causes of action accruing on or after March 5, 2020, the first confirmed case of coronavirus reported by the department of health.

(b) This part remains in effect until July 1, 2022. Any health emergency claim in which the act or omission occurred while this part is in effect is subject to the provisions of this part in perpetuity.

SECTION 9. Tennessee Code Annotated, Section 29-20-205, is amended by adding the following as a new subdivision:

(10) Or in connection with any loss, illness, or injury occurring before July 1, 2022, caused directly or indirectly by the coronavirus, as defined in Section 3, or as a result of action or inaction by any governmental entity or any of the entity's employees in response to or related to the coronavirus, unless the loss, illness, or injury was caused by gross negligence or willful and wanton misconduct of the governmental entity or the entity's employees. In any cause of action brought pursuant to this subdivision (10), the claimant must prove gross negligence or willful and wanton misconduct by the governmental entity or the entity's employees by clear and convincing evidence.

SECTION 10. Tennessee Code Annotated, Section 29-20-310, is amended by adding the following as a new subsection:

(f) No claim may be brought against an employee or judgment entered against an employee for injury proximately caused by an act or omission of the employee within the employee's scope of employment in connection with any loss, illness, or injury occurring before July 1, 2022, caused directly or indirectly by the coronavirus, as defined in Section 3, unless the act or omission of the employee was willful, malicious, criminal, or performed for personal financial gain. In any cause of action brought pursuant to this subsection (f), the claimant must prove that the act or omission of the employee was willful, malicious, criminal, or performed for personal financial gain by clear and convincing evidence.

SECTION 11. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

A public postsecondary institution is not liable for any act or omission by the institution or the institution's employees or agents that results in alleged or actual exposure to, contraction of, or illness or death arising from coronavirus, as defined in Section 3, unless the exposure, contraction, illness, or death was caused by gross negligence or reckless or willful misconduct of the institution or the institution's employees. In any cause of action brought pursuant to this section, the claimant must prove that act or omission of the institution or the institution's employee constituted gross negligence or reckless and willful misconduct by clear and convincing evidence.

SECTION 12. Tennessee Code Annotated, Section 9-8-307, is amended by adding the following as a new subsection:

Notwithstanding any provision of this chapter to the contrary, the state does not waive sovereign immunity for civil liability for any act or omission by the state or any employee or agent of the state that results in alleged or actual exposure to, contraction of, or illness or death arising from coronavirus, as defined in Section 3, unless the exposure, contraction, illness, or death was caused by gross negligence or reckless or willful misconduct of the state or the state's employee or agent. In any cause of action brought pursuant to this section, the claimant must prove that act or omission of the state or the state's employee or agent constituted gross negligence or reckless and willful misconduct by clear and convincing evidence.

SECTION 13. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it, and unless otherwise prohibited by the United States or Tennessee constitution, it is the intent of the general assembly that this act apply to all causes of action accruing on or after the first confirmed coronavirus case reported by the department of health on March 5, 2020. This act shall cease to be effective July 1, 2022.

/s/ Senator Mike Bell
/s/ Senator Dolores Gresham

/s/ Representative Michael G. Curcio
/s/ Representative Rush Bricken

/s/ Senator Bill Powers
/s/ Senator John Stevens
/s/ Senator Jeff Yarbro

/s/ Representative Andrew Farmer
/s/ Representative Johnny Shaw

Senator Bell moved that the Conference Committee Report on **Senate Bill No. 2381/House Bill No. 2623** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 24
Noes 5

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager, and Mr. Speaker McNally--24.

Senators voting no were: Akbari, Gilmore, Kyle, Robinson and Yarbro--5.

A motion to reconsider was tabled.

**STATEMENT OF SENATOR BELL
PURSUANT TO RULE 61**

Remarks of Senator Mike Bell on Senate Bill No. 2381 pursuant to Rule 61.

Does the Tennessee Recovery and Safe Harbor Act violate Article 1, section 20 of the Tennessee Constitution, which provides that no retrospective law shall be made?

Coronavirus Background

On December 31, 2019, China reported a cluster of cases of pneumonia in people associated with the Huanan Seafood Wholesale Market in Wuhan, Hubei Province. On January 7, 2020, Chinese health authorities confirmed that this cluster was associated with a novel coronavirus, COVID-19. The first confirmed case in the United States was discovered in the state of Washington on January 20. As the coronavirus spread throughout the country, Governor Bill Lee announced the first confirmed case in Tennessee on March 4.

In the months to follow, the state of Tennessee was impacted in unprecedented ways as it sought to deal with the crisis created by the coronavirus outbreak. A high rate of transmission and a death rate that severely ravaged vulnerable populations led the Governor, the legislature and local governments to take extraordinary measures including the following:

- On March 12, Governor Lee declared a state of emergency in Tennessee and issued his first executive order related to coronavirus that lifted many regulations to allow the health care community to combat the crisis.
- On March 16, the Tennessee General Assembly closed its doors to all visitors while the two houses rushed to pass a barebones budget due to coronavirus concerns. The General Assembly recessed on March 19 until June 1.
- On March 22, Governor Lee issued an executive order that restricted day to day life of Tennesseans in accordance with CDC guidelines, which included a ban on eating in restaurants or visiting fitness centers.
- On April 2, Governor Bill Lee issued a Stay at Home Order that required Tennesseans to remain at home unless they were carrying out essential activities.

- Numerous local governments issued their own restrictions on activities, in many instances imposing requirements more stringent than Governor Lee's executive orders.

Every aspect of day to day life in Tennessee has been impacted by the response to the coronavirus. Unemployment in Tennessee reached 14.7% in April as businesses shut down to adhere to additional guidelines issued by the Governor and local governments. As of June 11, 24,375 Tennesseans had tested positive for coronavirus and 381 had died from contracting it. From the beginning of the coronavirus in Tennessee, many businesses remained open, subject to new, everchanging regulations, as were essential to public health, safety and welfare. It is these entities, who responded to guidances from the state and local governments and other sources during the pandemic, that are protected under the Tennessee Recovery and Safe Harbor Act from unreasonable claims arising from the coronavirus pandemic.

Tennessee Recovery and Safe Harbor Act

The Tennessee Supreme Court has long held that it is the General Assembly's role "to declare policy of the State." Baptist Mem'l Hosp. v. Couillens, 140 S.W.2d 1088, 1093 (Tenn. 1940). In fulfilling this role, the General Assembly has been recognized by the Court as having the "authority to legislatively alter the common law." See Mills v. Wong 155 S.W.3d 916, 923 (Tenn. 2005). The legislature has the "power to weigh and to balance competing public and private interests to place reasonable limitations on rights of action in tort which it also has the power to create or abolish." (Heirs of Ellis v. Estate of Ellis, 71 S.W.3d 705, 712 (Tenn. 2002)).

The Tennessee Recovery and Safe Harbor Act (the Act) places a reasonable limitation on coronavirus related health emergency claims by creating pleading standards, an appropriate burden of proof for the claimant, and a fitting standard of liability required for recovery against covered entities. These provisions advance the public interest by protecting covered entities from the expenses associated with defending frivolous claims during a time when the state's economy is fragile and when sustaining business activity and the availability of essential services is paramount.

Retroactivity Clause

Section 8 of the Act states that it will apply to all causes of action accruing on or after March 5, 2020, the date of the first confirmed case of coronavirus in Tennessee. This retroactivity provision is included because the entities covered by the legislation, including health care providers and essential businesses, that operated during the most chaotic phase of the pandemic when requirements and guidances were nonexistent or changing rapidly. These entities deserve safeguards against meritless claims that may arise from their reasonable actions in response to the pandemic.

The Tennessee State Constitution¹ provides that "no retrospective law, or law impairing the obligations of contracts, shall be made." However, the Tennessee Supreme Court has noted that "not every retrospective law ... is objectionable in a Constitutional sense." Collins v. E. Tenn., Va. & Ga. R.R., 56 Tenn. (9 Heisk.) 841, 847 (1874). In Estate of Bell v. Shelby County Health Care (Tenn. 2010), the Court stated that the legislature may take some actions retroactively, specifically "remedial or procedural laws, unless the application of the law impairs a vested right or contractual obligation."

Factors Set Forth in Doe

In Doe v. Sundquist², the Court outlined a multi-factor analysis to determine whether a procedural retroactive statute impairs a vested right and thus violates the constitution. (1) Whether the statute advances or impedes the public interest; (2) whether it gives effect to or defeats bona fide intentions

¹ Tenn. Const. art. I, § 20

² Doe v. Sundquist, 2 S.W.3d 919, 924 (Tenn. 1999)

or reasonable expectations; (3) whether the new statute surprises individuals; and, (4) the extent to which a statute appears to be procedural or remedial.

In considering the first factor, one purpose of the Act is to protect entities that have provided goods and services to the citizens of the State of Tennessee. This includes schools educating our citizens, child care facilities so parents can work or attend school, non-profit organizations providing critical services to citizens in need, medical care providers caring for the sick and injured, and businesses providing “essential” goods and services to our citizens. A further purpose of the Act is to encourage these entities to stay open or reopen. The State requires sales and business taxes to fund its essential services for the public. This Act facilitates economic activity thus generating tax revenue on which the State relies.

This Act is intended to address the unprecedented uncertainties faced by schools, child care facility operators, medical care providers and businesses by creating enacting procedural and remedial legal safeguards without affecting underlying substantive legal rights. The retrospective aspect of these safeguards is necessary because the General Assembly was unable to meet and respond to the situation in a timely manner. The second and third factors—the intentions or reasonable expectations of affected persons, and the surprise to persons who had relied on a contrary state of the law—are closely related. As the coronavirus swept across the nation and Tennessee, a myriad of regulations and laws were either lifted, enacted or changed by the federal, state, and local governments. Governor Bill Lee issued 24 coronavirus related executive orders between March 12 and May 22. It should be of no surprise that pleading standards, burdens of proof, and standard of care may change for claims arising out of a worldwide pandemic for which public health and safety requirements and guidances changed on a daily basis.

The public expected grocery stores, gas stations, hospitals and child care centers, to name only a few, to remain open and provide basic needs of our daily lives during the height of the pandemic. We cannot reasonably expect organizations to have remained open even as the medical and scientific community was still trying to determine how the virus was spread and what precautions such businesses should take in response to the virus. This bill merely provides a measure of protection for those businesses who were essential for daily life and the well-being of the people of Tennessee. These services were essential and necessary and encompassed by both the spirit of the Presidents pronouncements and executive order as well as those of the Governor of this State.

Finally, the statute is remedial in that it applies to a time when covered entities were working to respond to changing and sometimes conflicting guidance regarding the virus. The General Assembly was in recess from March 19 to June 1 and thus unable to pass a bill to provide necessary protections for entities that were operating under ever shifting regulations. Additionally, Governor Lee’s emergency powers were only able to protect volunteer health care providers and not those essential workers who continued to provide service to the community during this unparalleled time.

Conclusion

Using the factors set out in Doe v. Sundquist, the Tennessee Recovery and Safe Harbor Act’s retroactive provision does not violate the Tennessee Constitution.

In the event this provision is held invalid, however, the Tennessee Recovery and Safe Harbor Act contains a severability clause, which would leave the entirety of the remaining provisions of the law intact.

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REPORT OF SELECT COMMITTEE CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 2931/HOUSE BILL NO. 2922

The report was received and filed with the clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 2931/HOUSE BILL NO. 2922**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2922 (Senate Bill No. 2931) has met and recommends that all amendments be deleted:

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Orderly Closing of Fiscal Years 2019-2020 and 2020-2021. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. It is the legislative intent to fulfill the essential function and constitutional responsibility of state government to orderly close fiscal years 2019-2020 and 2020-2021. Under the provisions of Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill No. 2932 / House Bill No. 2924, if such bill becomes a law, the Commissioner of Finance and Administration is authorized to deny carry forwards for and to transfer funds from the enumerated funds, reserve accounts, or programs to the state general fund for the sole purpose of meeting the requirements of funding state government for the fiscal years ending June 30, 2020 and June 30, 2021, and for that purpose such funds hereby are appropriated to the general fund. The Commissioner of Finance and Administration shall report to the Speakers of the Senate and the House of Representatives, the chairs of the Senate and House Finance, Ways and Means Committees, and the directors of the Office of Legislative Budget Analysis all such transfers and carry-forward denials by January 15, 2021. Such transfers and carry-forward denials shall be according to the following schedule, to the extent funds are available in the reserves and considering the interests of the programs, as determined by the Commissioner of Finance and Administration:

Item 1. From the reserves for unencumbered balance and capital outlay that are not permanent statutory reserves.

Item 2. From the statutory reserves enumerated in Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill No. 2932 / House Bill No. 2924.

Item 3. From the TennCare reserve.

Item 4. From the reserve for revenue fluctuations established by Tennessee Code Annotated, Section 9-4-211.

SECTION 2. Pursuant to Tennessee Code Annotated, Section 9-4-5111, the Commissioner of Finance and Administration is authorized to reserve a portion of the allotments appropriated in Chapter 651, Public Acts of 2020, and this act. It is the further legislative intent that any items identified for reserve allotment in the fiscal year 2020-2021 enacted budget will be identified and reported as a recommended reduction in the Governor's fiscal year 2021-2022 Budget Recommendation to the General Assembly for review and approval as part of the normal budget development process and in accordance with existing law.

SECTION 3. Authorization to Transfer Appropriations in 2019-2020. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. From the

appropriations made in Chapter 405, Public Acts of 2019, the Commissioner of Finance and Administration is authorized to make transfers from the appropriations made:

Item 1. From the unexpended balances in Miscellaneous Appropriations in Section 1, Title III-22, a sum sufficient is authorized to be transferred to the Tennessee Bureau of Investigation for the orderly close of fiscal year 2019-2020.

SECTION 4. Other Additions to Budget. In addition to the amounts appropriated in Sections 1 and 4 of Chapter 651, Public Acts of 2020, the following amounts are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal aid and other departmental revenues and position authorizations accordingly. Full-time (FT) and part-time (PT) position authorizations are estimated in the text of the following line items.

Item 1. There is hereby appropriated to the State Funding Board for interest and reduction of the state debt, for debt service expense and interest on proposed bond authorization:

(a) Amortization of Authorized and Unissued Construction Bonds, in the amount of \$24,386,210, recurring.

Item 2. Miscellaneous Appropriations – Employee Buyout Initiative, in the amount of \$50,000,000, non-recurring. Employees taking advantage of the buyout initiative shall receive a severance package. Benefits included in this buyout initiative plan may include, but not be limited to, the following:

(1) A base payment plus an amount based on years of service and capped at an amount to be determined;

(2) Extended health insurance benefits for a period of months to be determined, or a cash option to buy into COBRA health coverage, or a cash option equivalent to the extended health insurance benefit; and

(3) College tuition assistance for 2 years to be capped at the average of the highest four-year public Tennessee college undergraduate level; provided, however, that such assistance shall only be provided for periods of actual attendance within a period of time to be determined by the Commissioner of Finance and Administration.

The Commissioner of Finance and Administration shall submit a copy of the buyout initiative plan to the Speaker of the Senate, Speaker of the House of Representatives, and Chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives.

SECTION 5. Base and Cost Increase Reductions. The appropriations in Section 1 of Chapter 651, Public Acts of 2020, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of deleting base and cost increase appropriations and positions that had been recommended in the 2020-2021 Budget Document, and the Commissioner of Finance and Administration is authorized to allocate the appropriation reductions to the appropriate organizational units and to adjust federal aid and other departmental revenues and authorized positions accordingly.

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. Education – BEP Salary – Delete	\$ (58,680,000)	\$ 0
2. Higher Education – Formula and Non-Formula Units – Salary Pool – Delete	(23,590,800)	0
3. Miscellaneous Appropriations – TEAM Act Salaries – Delete	(22,956,000)	11,478,000
4. Miscellaneous Appropriations – Non-TEAM Act Salaries – Delete	(5,359,200)	0
5. Miscellaneous Appropriations – Salaries – Market Rate Adjustment – Delete	(20,000,000)	0
6. Correction – Salary Increases for Probation and Parole Officer Series – Delete	(9,995,100)	0
7. Salaries – Trooper Survey – Delete	(1,137,300)	0
8. Salaries – TLETA Survey – Delete	(18,500)	0
9. District Attorneys – Mandated Salary Increase – Reduce – Fund Balance with Equity	(656,600)	0
10. Human Services for District Attorneys – Mandated Salary Increase – Reduce – Fund Balance with Equity	(21,200)	0
11. Public Defenders – Statutory Salary Step Raises – Reduce – Fund Balance with Equity	(359,200)	0
12. Post-Conviction Defender – Statutory Salary Step Raises – Reduce – Fund Balance with Equity	(12,500)	0
13. Safety – Statutory Salary Step Raises – Reduce – Fund Balance with Equity	(587,200)	0
14. Commerce & Insurance – TLETA Statutory Salary Step Increase – Reduce – Fund Balance with Equity	(21,400)	0
15. Children’s Services – Case Manager Salary Adjustment – Delete	(3,639,200)	0
16. Correction – State Prosecutions – Reduce and fund Non-Recurring	(22,289,000)	8,000,000
17. Economic & Community Development – FastTrack – Reduce	0	(5,000,000)
18. Economic & Community Development – Broadband Initiative – Reduce	0	(10,000,000)
19. Education – Non-Public Education Choice Programs – Reduce	0	(15,130,100)
20. Higher Education – Outcomes Based Funding Formula – Delete	(38,000,000)	0
21. Military – Armories Maintenance – Delete	(1,000,000)	0

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22. Safety – Manpower Increase of Troopers – Delete (-10 FT)	(899,000)	(615,000)
23. Environment & Conservation – Cummins Falls State Park – Reduce (-3 FT)	(128,900)	0
24. Environment & Conservation – State Park Maintenance – Reduce	0	(8,000,000)
25. Environment & Conservation – Air Pollution Control Non-Title V Program – Reduce	(1,500,000)	0
26. Tennessee Bureau of Investigation – Field Agent Positions – Delete (-25 FT)	(3,387,400)	(2,177,700)
27. TennCare – ECF CHOICES – Waiting List – Delete	(15,055,200)	10,018,400
28. TennCare – ECF CHOICES – Group 7 & 8 Populations – Delete	(6,379,000)	0
29. TennCare – Postpartum Coverage Extension Pilot – Delete	0	(6,644,700)
30. TennCare – Dental Coverage for Pregnant and Postpartum Women – Delete	(2,023,500)	0
31. TennCare – New Therapists – Delete	(682,400)	0
32. TennCare for Children's Services – Case Manager Salary Adjustment – Delete	(1,136,100)	0
33. Transportation – Transportation Equity Fund – Delete	0	(30,000,000)
34. Military – New TEMA Region – Delete (-19 FT)	(1,265,500)	(285,000)
35. Higher Education – Capital Maintenance – Delete	(6,500,000)	(3,500,000)
36. General Services – Statewide Capital Maintenance – Delete	(6,500,000)	(3,500,000)
Total	<u>\$ (253,780,200)</u>	<u>\$ (55,356,100)</u>

Item 2. The appropriation in Chapter 651, Public Acts of 2020, Section 1, Title III-8, Item 7, FastTrack Infrastructure and Job Training Assistance, hereby is reduced \$15,000,000 recurring.

Item 3. The appropriation in Chapter 651, Public Acts of 2020, Section 1, Title III-9, Item 2.1k, Non-Public School Education Choice Programs, hereby is reduced \$26,500,000 non-recurring.

Item 4. The appropriation in Chapter 651, Public Acts of 2020, Section 1, Title I, Item 1.2, House of Representatives, hereby is reduced \$107,800 recurring.

Item 5. The appropriation in Chapter 651, Public Acts of 2020, Section 1, Title I, Item 1.3, State Senate, hereby is reduced \$37,350 recurring.

SECTION 6. Capital Outlay Additional Provisions. The following provisions are in addition to other provisions of this act and Chapter 651, Public Acts of 2020 concerning the capital outlay budget and the facilities revolving fund capital outlay budget.

Item 1. The provisions of this item shall take effect upon becoming a law, the public welfare requiring it. Subject to Senate Bill No. 2935 / House Bill No. 2930 becoming a law, the additional general obligation bond authorization recommended in addition to Chapter 649, Public Acts of 2020, it is the legislative intent to fund certain capital outlay projects with bonds in lieu of previously appropriated capital outlay current funds. The Commissioner of Finance and Administration is directed to reduce the allotment of appropriations from current funds in the capital projects fund according to the following schedule:

(a) Veterans Home Board – West Tennessee Veterans Nursing Home, funded in Chapter 460, Public Acts of 2017, Section 1, Title 32, Item 10, in the amount of \$10,000,000.

(b) Veterans Home Board – West Tennessee Veterans Nursing Home Bridge Funding, funded in Chapter 460, Public Acts of 2017, Section 64, Item 37, and reappropriated in Chapter 1061, Public Acts of 2018, Section 59, Item 3(g), in the amount of \$8,000,000.

(c) Middle Tennessee State University – MTSU School for Concrete and Construction Management, funded in Chapter 405, Public Acts of 2019, Section 1, Title 33, Item 9, in the amount of \$34,085,000.

(d) Economic and Community Development – Amazon Operations Center Grant, funded in Chapter 405, Public Acts of 2019, Section 1, Title 33, Item 1, in the amount of \$65,000,000.

(e) Economic and Community Development – Volkswagen Plant Infrastructure Grant, funded in Chapter 405, Public Acts of 2019, Section 1, Title 33, Item 2, in the amount of \$50,000,000.

There is hereby transferred the sum of \$167,085,000.00 from the capital projects fund to the general fund in the fiscal year ending June 30, 2020.

Item 2. Of the capital maintenance projects listed on pages A-131 through A-138 of the 2020-2021 Budget Document and in Section 1, Title III-33 of Chapter 651, Public Acts of 2020, the following hereby are reduced. Negative amounts are reductions and positive amounts are increases.

	<u>State Funds</u>	<u>Other Funds</u>
1. Agriculture - Statewide Facilities Assessment and Maintenance Plan	\$ (950,000)	\$ 0
2. Agriculture - Knoxville District Office Warehouse Complex Renovations	(500,000)	0
3. Environment and Conservation - Norris Dam State Park Water Line Replacement	(6,181,400)	(198,600)
4. General Services - ADA Compliance	(800,000)	800,000

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5. General Services - Environmental Consultants	(5,000,000)	1,000,000
6. General Services - State-Owned Buildings OSHA Compliance	(800,000)	800,000
7. General Services - TPAC Annual Maintenance Grant	(300,000)	150,000
8. General Services - National Civil Rights Museum Maintenance Grant	(300,000)	150,000
9. General Services - Tennessee Residence Security Upgrades	(970,000)	970,000
10. Human Services - TRC Smyrna Campus System Upgrades Phase 2	(5,940,000)	0
11. Intellectual and Developmental Disabilities - MTRO Essential Maintenance	(3,210,000)	0
12. Military - Statewide TEMA Lighting Upgrades	(220,000)	0
13. Military - Russellville RC Plumbing Repair	(250,000)	0
14. Austin Peay State University - Campuswide Elevator Modernization	(750,000)	0
15. East Tennessee State University - HVAC Repairs Phase 1	(3,470,000)	0
16. Middle Tennessee State University - Elevator Modernization Phase 3	(2,000,000)	0
17. Middle Tennessee State University - Water and Sewer System Updates Phase 2	(490,000)	0
18. Tennessee State University - Power Plant Equipment and Lighting Upgrades Phase 2	(3,073,400)	0
19. Tennessee State University - Campus HVAC Repairs Phase 2	(1,881,000)	0
20. Tennessee Technological University - Building Controls Upgrade Phase 1	(3,000,000)	0
21. University of Memphis - Central Chiller and CFA HVAC Replacements	0	(5,000,000)
22. University of Memphis - Multiple Buildings Interior Repairs Phase 2	(2,000,000)	0
23. University of Memphis - Campus-Wide Boilers and Hot Water Pipes Repair Phase 2	(2,500,000)	0
24. Tennessee Board of Regents - COSCC Mechanical System Upgrades	(950,000)	950,000
25. Tennessee Board of Regents - MSCC McMinnville Campus HVAC Upgrades	(920,000)	920,000
26. Tennessee Board of Regents - JSCC McWherter Center HVAC Updates Phase 2	(1,260,000)	1,260,000
27. Tennessee Board of Regents - Statewide TCAT Mech., Electrical, and Plumbing Updates	(1,890,000)	1,890,000
28. Tennessee Board of Regents - TCAT Jacksboro Door and Window Replacements	(140,000)	140,000

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29. Tennessee Board of Regents - TCAT Parking Improvements	(1,350,000)	0
30. Tennessee Board of Regents - CLSCC Science Building Renovations	(1,880,000)	0
31. Tennessee Board of Regents - TCAT Maintenance Repairs	(1,450,000)	0
32. Tennessee Board of Regents - CHSCC Warehouse Roof Replacement	(280,000)	0
33. Tennessee Board of Regents - PSCC Strawberry Plains Roof Replacement	(460,000)	0
34. Tennessee Board of Regents - TCAT Mechanical, Electrical, and Plumbing Updates	(3,230,000)	0
35. University of Tennessee - UTM EPS Building Systems Upgrades	0	(9,870,000)
36. University of Tennessee - UTC Multiple Buildings Roof Replacements	(3,651,500)	(1,378,500)
37. University of Tennessee - UTHSC Campus Police Building Upgrades	(8,000,000)	0
38. University of Tennessee - UTIA CRC/MAST, BESS, and JARTU Improvements	(7,120,000)	0
39. University of Tennessee - UTK Building Systems Improvements (20-21)	(4,000,000)	0
40. University of Tennessee - UTC Multiple Buildings Elevator Upgrades	(2,330,000)	0
41. University of Tennessee - Statewide Facilities Space Analytics	(1,000,000)	0
Total	\$ (84,497,300)	\$ (7,417,100)

Item 3. Of the facilities revolving fund capital maintenance projects listed on pages A-153 through A-158 of the 2020-2021 Budget Document and in Section 1, Title III-30 of Chapter 651, Public Acts of 2020, the following hereby are reduced. Negative amounts are reductions and positive amounts are increases.

	<u>State Funds</u>	<u>Other Funds</u>
1. FRF - TN Tower Fire Alarm and Fire Suppression Upgrades	\$ 0	\$ (12,790,000)
2. FRF - Jackson Supreme Court Cleaning, Repairs, Interior Renov.	(3,320,000)	0
3. FRF - Andrew Jackson Building Elevator Replacement	(8,500,000)	0
4. FRF - Legislative Plaza Fountains	0	(1,390,000)
5. FRF - TPS Complex Utility Pole Replacements and Removal	(1,670,000)	0
6. FRF - State Capitol Complex Exterior Lighting Upgrades	(730,000)	0

Total

\$ (14,220,000)

\$ (14,180,000)

Item 4. The capital outlay projects listed in the 2020-2021 Budget Document and which are identified with the heading "Proposed Capital Projects from School Bonds and Other Sources, Fiscal Year 2020-2021," are presented for informational purposes only. The projects are subject to recommendation and approval procedures involving the: higher education institutions and their governing boards, the Tennessee Higher Education Commission, Finance and Administration, the Tennessee State School Bond Authority, the State Funding Board, and the State Building Commission.

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-137 and A-138 in the 2020-2021 Budget Document and in Section 29, Item 29 of Chapter 651, Public Acts of 2020:

University of Tennessee Health Science Center, Memphis Bioworks
Acquisition, in the amount of \$ 14,450,000.

SECTION 7. In the fiscal year ending on June 30, 2020, the sum of \$15,000,000 shall be transferred from the reserve for future tax relief, created or referenced in Section 61, Item 15 of Chapter 405, Public Acts of 2019, to the general fund.

SECTION 8. Pursuant to the provisions of Tennessee Code Annotated, Section 49-3-307, the dollar value of the BEP instructional positions component shall be forty-eight thousand, three hundred thirty dollars (\$48,330) as amended by Section 5, Item 1 of this act.

SECTION 9. Carry-forward and Appropriation of Certain Unexpended Balances. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Subject to the availability of funding at June 30, 2020, any unexpended balances of appropriations made under Chapter 405, Public Acts of 2019, other acts of this General Assembly or acts by previous General Assemblies, listed in this section are hereby reappropriated to be expended in the 2020-2021 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 2020. The reappropriation and carry-forward of these funds is subject to approval by the Commissioner of Finance and Administration. Unless otherwise noted, the unexpended balances reappropriated are authorized under Chapter 405, Public Acts of 2019, and they are the appropriations made:

Item 1. To the Department of General Services, in Section 38, Item 3.1, of Chapter 651, Public Acts of 2020, for Facility Assessment – Tennessee State University.

Item 2. To Miscellaneous Appropriations, in Section 56, Item 1-35, for Consulting/Study – Governor's Efficiency Initiatives.

LEGISLATIVE ADJUSTMENTS

SECTION 10. For the purpose of reducing authorized and funded positions that are vacant, appropriations for such positions across executive branch departments and agencies in Chapter 651, Public Acts of 2020, hereby are reduced \$20,000,000 (recurring) in fiscal year 2020-2021; provided, that positions shall not be reduced from the Department of Intellectual and Developmental

Disabilities. It is the legislative intent that the Commissioner of Finance and Administration is authorized to make appropriate reductions in positions authorizations and to adjust federal and other funds accordingly. The Commissioner of Finance and Administration shall report to the Speakers of the Senate and the House of Representatives, the chairs of the Senate and House Finance, Ways and Means Committees, and the directors of the Office of Legislative Budget Analysis all such department and agency reductions by December 31, 2020.

SECTION 11. In addition to funds previously appropriated in Title III-22, Item 10.33 – Grants to Cities and Title III-22, Item 10.34 – Grants to Counties, in Section 1 of Chapter 651, Public Acts of 2020, there is appropriated the sum of \$10,500,000 to counties and municipalities to be distributed as grants and used for the same purposes provided in such previous appropriation and for the additional purpose and in the manner provided in this section. Notwithstanding any provisions of Title III-22, Section 1, of Chapter 651, Public Acts of 2020 to the contrary, the grants made from the funds appropriated in this section and Title III-22, Item 10.33 – Grants to Cities and Title III-22, Item 10.34 – Grants to Counties, in Section 1 of Chapter 651, Public Acts of 2020, may be used for the purpose of offsetting the loss of local revenue or supplementing local revenue. Additionally, municipalities and counties shall not be required to file a plan of the use of the grant funds or resolution from the local governing body requesting use of the grant funds for any of the purposes provided in Title III-22, Section 1, of Chapter 651, Public Acts of 2020, or in this section. Such grants are limited to a maximum payment of \$10,000,000 per municipality or county, with excess grant funds to municipalities and counties pooled separately and distributed to counties. Grants shall be distributed to municipalities and counties no later than July 31, 2020, and according to the following schedules:

	County	Appropriation
1	Anderson	\$ 1,370,764
2	Bedford	\$ 1,103,883
3	Benton	\$ 784,390
4	Bledsoe	\$ 1,191,517
5	Blount	\$ 1,904,325
6	Bradley	\$ 1,664,886
7	Campbell	\$ 1,011,936
8	Cannon	\$ 767,644
9	Carroll	\$ 899,491
10	Carter	\$ 1,174,998
11	Cheatham	\$ 1,020,260
12	Chester	\$ 795,009
13	Claiborne	\$ 935,823
14	Clay	\$ 1,123,076
15	Cocke	\$ 1,395,919
16	Coffee	\$ 1,168,668
17	Crockett	\$ 766,340
18	Cumberland	\$ 1,207,304

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19	Davidson	\$	0
20	Decatur	\$	740,843
21	DeKalb	\$	822,841
22	Dickson	\$	1,146,748
23	Dyer	\$	989,928
24	Fayette	\$	1,020,922
25	Fentress	\$	1,225,183
26	Franklin	\$	1,034,370
27	Gibson	\$	1,103,951
28	Giles	\$	913,912
29	Grainger	\$	852,082
30	Greene	\$	1,298,852
31	Grundy	\$	1,177,816
32	Hamblen	\$	1,254,914
33	Hamilton	\$	4,169,547
34	Hancock	\$	1,111,717
35	Hardeman	\$	1,293,286
36	Hardin	\$	877,669
37	Hawkins	\$	1,176,739
38	Haywood	\$	795,584
39	Henderson	\$	897,808
40	Henry	\$	941,676
41	Hickman	\$	870,734
42	Houston	\$	707,361
43	Humphreys	\$	806,777
44	Jackson	\$	1,162,372
45	Jefferson	\$	1,152,253
46	Johnson	\$	799,890
47	Knox	\$	5,151,760
48	Lake	\$	1,120,099
49	Lauderdale	\$	1,299,169
50	Lawrence	\$	1,052,303
51	Lewis	\$	744,538
52	Lincoln	\$	958,781
53	Loudon	\$	1,142,935
54	McMinn	\$	1,145,183
55	McNairy	\$	1,299,237
56	Macon	\$	862,974
57	Madison	\$	1,576,177
58	Marion	\$	904,889
59	Marshall	\$	954,560

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60	Maury	\$	1,544,425
61	Meigs	\$	746,677
62	Monroe	\$	1,077,809
63	Montgomery	\$	2,629,789
64	Moore	\$	689,351
65	Morgan	\$	1,257,877
66	Obion	\$	921,341
67	Overton	\$	841,608
68	Perry	\$	1,126,449
69	Pickett	\$	676,427
70	Polk	\$	791,333
71	Putnam	\$	1,393,723
72	Rhea	\$	948,348
73	Roane	\$	1,143,773
74	Robertson	\$	1,317,572
75	Rutherford	\$	3,786,436
76	Scott	\$	1,262,352
77	Sequatchie	\$	771,670
78	Sevier	\$	1,578,968
79	Shelby	\$	5,000,000
80	Smith	\$	820,935
81	Steward	\$	758,881
82	Sullivan	\$	2,160,266
83	Sumner	\$	2,446,959
84	Tipton	\$	1,225,858
85	Trousdale	\$	734,094
86	Unicoi	\$	799,724
87	Union	\$	818,464
88	Van Buren	\$	683,069
89	Warren	\$	1,024,529
90	Washington	\$	1,877,659
91	Wayne	\$	1,209,051
92	Weakley	\$	951,954
93	White	\$	890,613
94	Williamson	\$	2,880,481
95	Wilson	\$	1,994,531
	Total (Counties)	\$	119,627,610.00

	Municipality	Appropriation
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THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

1	Adams	\$	44,742
2	Adamsville	\$	77,932
3	Alamo	\$	80,802
4	Alcoa	\$	261,696
5	Alexandria	\$	52,090
6	Algood	\$	127,520
7	Allardt	\$	43,726
8	Altamont	\$	52,686
9	Ardmore	\$	57,100
10	Arlington	\$	288,134
11	Ashland City	\$	133,612
12	Athens	\$	335,802
13	Atoka	\$	237,378
14	Atwood	\$	50,370
15	Auburntown	\$	35,782
16	Baileyton	\$	39,776
17	Baneberry	\$	41,564
18	Bartlett	\$	1,338,990
19	Baxter	\$	63,014
20	Bean Station	\$	98,456
21	Beersheba Springs	\$	40,108
22	Bell Buckle	\$	41,940
23	Belle Meade	\$	93,580
24	Bells	\$	84,244
25	Benton	\$	58,050
26	Berry Hill	\$	41,410
27	Bethel Springs	\$	45,890
28	Big Sandy	\$	41,564
29	Blaine	\$	71,246
30	Bluff City	\$	66,744
31	Bolivar	\$	138,952
32	Braden	\$	35,782
33	Bradford	\$	51,848
34	Brentwood	\$	967,954
35	Brighton	\$	94,462
36	Bristol	\$	623,222
37	Brownsville	\$	238,392
38	Bruceton	\$	61,072
39	Bulls Gap	\$	45,824
40	Burlison	\$	39,070
41	Burns	\$	61,888

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

42	Byrdstown	\$	47,610
43	Calhoun	\$	40,968
44	Camden	\$	108,894
45	Carthage	\$	80,272
46	Caryville	\$	77,778
47	Cedar Hill	\$	36,908
48	Celina	\$	62,176
49	Centertown	\$	35,540
50	Centerville	\$	108,762
51	Chapel Hill	\$	63,610
52	Charlestown	\$	45,228
53	Charlotte	\$	63,522
54	Chattanooga	\$	4,014,616
55	Church Hill	\$	177,396
56	Clarksburg	\$	38,342
57	Clarksville	\$	3,490,202
58	Cleveland	\$	1,022,508
59	Clifton	\$	88,878
60	Clinton	\$	251,302
61	Coalmont	\$	48,538
62	Collegedale	\$	283,610
63	Collierville	\$	1,147,018
64	Collinwood	\$	50,832
65	Columbia	\$	898,968
66	Cookeville	\$	780,438
67	Coopertown	\$	130,500
68	Copperhill	\$	37,018
69	Cornersville	\$	57,740
70	Cottage Grove	\$	31,898
71	Covington	\$	223,762
72	Cowan	\$	66,744
73	Crab Orchard	\$	46,838
74	Cross Plains	\$	70,010
75	Crossville	\$	284,980
76	Crump	\$	62,286
77	Cumberland City	\$	36,798
78	Cumberland Gap	\$	40,792
79	Dandridge	\$	99,406
80	Dayton	\$	193,152
81	Decatur	\$	66,346
82	Decaturville	\$	49,000

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

83	Decherd	\$	82,546
84	Dickson	\$	373,892
85	Dover	\$	62,662
86	Dowelltown	\$	38,718
87	Doyle	\$	42,534
88	Dresden	\$	94,616
89	Ducktown	\$	40,416
90	Dunlap	\$	142,990
91	Dyer	\$	78,904
92	Dyersburg	\$	391,680
93	Eagleville	\$	45,492
94	East Ridge	\$	493,968
95	Eastview	\$	45,602
96	Elizabethton	\$	327,858
97	Elkton	\$	41,674
98	Englewood	\$	63,632
99	Enville	\$	34,126
100	Erin	\$	58,512
101	Erwin	\$	159,166
102	Estill Springs	\$	74,754
103	Ethridge	\$	40,726
104	Etowah	\$	106,842
105	Fairview	\$	228,594
106	Farragut	\$	536,604
107	Fayetteville	\$	184,854
108	Finger	\$	36,356
109	Forest Hills	\$	137,386
110	Franklin	\$	1,815,648
111	Friendship	\$	44,830
112	Friendsville	\$	49,664
113	Gadsden	\$	40,196
114	Gainesboro	\$	50,854
115	Gallatin	\$	922,824
116	Gallaway	\$	44,278
117	Garland	\$	36,664
118	Gates	\$	43,792
119	Gatlinburg	\$	121,452
120	Germantown	\$	892,854
121	Gibson	\$	38,740
122	Gilt Edge	\$	40,064
123	Gleason	\$	60,300

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

124	Goodlettsville	\$	402,052
125	Gordonsville	\$	57,276
126	Grand Junction	\$	35,958
127	Graysville	\$	64,404
128	Greenback	\$	56,394
129	Greenbrier	\$	180,926
130	Greeneville	\$	358,776
131	Greenfield	\$	75,858
132	Gruetli-Laager	\$	68,134
133	Guys	\$	39,820
134	Halls	\$	76,278
135	Harriman	\$	165,610
136	Harrogate	\$	125,710
137	Hartsville / Trousdale County Metro	\$	273,000
138	Henderson	\$	169,362
139	Hendersonville	\$	1,300,614
140	Henning	\$	50,612
141	Henry	\$	40,262
142	Hickory Valley	\$	32,052
143	Hohenwald	\$	111,366
144	Hollow Rock	\$	44,962
145	Hornbeak	\$	38,740
146	Hornsby	\$	35,804
147	Humboldt	\$	210,940
148	Huntingdon	\$	114,412
149	Huntland	\$	48,582
150	Huntsville	\$	57,298
151	Jacksboro	\$	72,636
152	Jackson	\$	1,506,446
153	Jamestown	\$	73,254
154	Jasper	\$	104,106
155	Jefferson City	\$	210,940
156	Jellico	\$	78,088
157	Johnson	\$	1,503,688
158	Jonesborough	\$	150,030
159	Kenton	\$	56,592
160	Kimball	\$	61,360
161	Kingsport	\$	1,223,374
162	Kingston	\$	158,548
163	Kingston Springs	\$	90,666
164	Knoxville	\$	4,167,836

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

165	La Follette	\$	178,676
166	La Grange	\$	32,824
167	La Vergne	\$	820,470
168	Lafayette	\$	145,132
169	Lake	\$	68,994
170	Lakeland	\$	308,438
171	Lakesite	\$	71,026
172	Lawrenceburg	\$	269,178
173	Lebanon	\$	803,500
174	Lenoir	\$	235,348
175	Lewisburg	\$	297,338
176	Lexington	\$	200,280
177	Liberty	\$	37,238
178	Linden	\$	50,722
179	Livingston	\$	118,716
180	Lobelville	\$	49,596
181	Lookout Mountain	\$	71,180
182	Loretto	\$	69,260
183	Loudon	\$	158,196
184	Louisville	\$	121,120
185	Luttrell	\$	53,370
186	Lynchburg / Moore County Metro	\$	165,000
187	Lynnville	\$	36,664
188	Madisonville	\$	138,732
189	Manchester	\$	270,900
190	Martin	\$	263,750
191	Maryville	\$	674,222
192	Mason	\$	64,272
193	Maury City	\$	44,676
194	Maynardville	\$	82,832
195	McEwen	\$	68,244
196	McKenzie	\$	150,936
197	McLemoresville	\$	37,348
198	McMinnville	\$	332,074
199	Medina	\$	123,702
200	Medon	\$	33,972
201	Memphis	\$	10,000,000
202	Michie	\$	42,822
203	Middletown	\$	44,234
204	Milan	\$	198,604
205	Milledgeville	\$	35,760

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

206	Millersville	\$	179,646
207	Millington	\$	265,802
208	Minor Hill	\$	41,718
209	Mitchellville	\$	34,260
210	Monteagle	\$	57,122
211	Monterey	\$	93,580
212	Morrison	\$	45,712
213	Morristown	\$	690,420
214	Moscow	\$	42,424
215	Mosheim	\$	81,618
216	Mount Carmel	\$	147,074
217	Mount Juliet	\$	818,396
218	Mount Pleasant	\$	137,980
219	Mountain City	\$	83,362
220	Munford	\$	163,734
221	Murfreesboro	\$	3,149,244
222	Nashville Davidson Metro	\$	10,000,000
223	New Hope	\$	53,216
224	New Johnsonville	\$	72,040
225	New Market	\$	60,212
226	New Tazewell	\$	89,938
227	Newbern	\$	103,090
228	Newport	\$	180,088
229	Niota	\$	46,022
230	Nolensville	\$	228,880
231	Normandy	\$	33,288
232	Norris	\$	65,464
233	Oak Hill	\$	130,478
234	Oak Ridge	\$	672,390
235	Oakdale	\$	34,590
236	Oakland	\$	209,152
237	Obion	\$	53,194
238	Oliver Springs	\$	105,386
239	Oneida	\$	111,940
240	Orlinda	\$	50,546
241	Orme	\$	32,494
242	Palmer	\$	44,654
243	Paris	\$	251,942
244	Parker's Crossroads	\$	36,864
245	Parrottsville	\$	36,378
246	Parsons	\$	80,978

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

247	Pegram	\$	75,902
248	Petersburg	\$	42,402
249	Philadelphia	\$	45,668
250	Pigeon Forge	\$	169,560
251	Pikeville	\$	65,840
252	Pipertown	\$	70,430
253	Pittman Center	\$	42,624
254	Plainview	\$	76,896
255	Pleasant Hill	\$	42,534
256	Pleasant View	\$	131,978
257	Portland	\$	312,984
258	Powells Crossroads	\$	59,836
259	Pulaski	\$	198,868
260	Puryear	\$	44,720
261	Ramer	\$	36,554
262	Red Bank	\$	289,636
263	Red Boiling Springs	\$	55,070
264	Ridgely	\$	66,568
265	Ridgeside	\$	39,534
266	Ridgetop	\$	76,432
267	Ripley	\$	203,878
268	Rives	\$	36,886
269	Rockford	\$	48,692
270	Rockwood	\$	150,318
271	Rogersville	\$	124,828
272	Rossville	\$	50,148
273	Rutherford	\$	53,724
274	Rutledge	\$	59,682
275	Saltillo	\$	41,696
276	Samburg	\$	34,458
277	Sardis	\$	38,386
278	Saulsberry	\$	32,030
279	Savannah	\$	183,288
280	Scotts Hill	\$	51,582
281	Selmer	\$	127,102
282	Sevierville	\$	394,814
283	Sharon	\$	50,258
284	Shelbyville	\$	512,504
285	Signal Mountain	\$	219,060
286	Silerton	\$	32,228
287	Slayden	\$	34,546

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

288	Smithville	\$ 135,774
289	Smyrna	\$ 1,150,526
290	Sneedville	\$ 59,484
291	Soddy Daisy	\$ 332,714
292	Somerville	\$ 100,642
293	South Carthage	\$ 60,410
294	South Fulton	\$ 79,278
295	South Pittsburg	\$ 96,602
296	Sparta	\$ 139,128
297	Spencer	\$ 66,236
298	Spring City	\$ 71,158
299	Spring Hill	\$ 945,046
300	Springfield	\$ 404,214
301	St. Joseph	\$ 47,898
302	Stanton	\$ 39,334
303	Stantonville	\$ 35,914
304	Sunbright	\$ 41,718
305	Surgoinsville	\$ 69,194
306	Sweetwater	\$ 159,498
307	Tazewell	\$ 80,074
308	Tellico Plains	\$ 50,148
309	Tennessee Ridge	\$ 59,328
310	Thompson Station	\$ 164,926
311	Three Way	\$ 67,052
312	Tiptonville	\$ 125,048
313	Toone	\$ 37,460
314	Townsend	\$ 39,776
315	Tracy City	\$ 60,808
316	Trenton	\$ 119,400
317	Trezevant	\$ 48,670
318	Trimble	\$ 43,572
319	Troy	\$ 59,262
320	Tullahoma	\$ 457,466
321	Tusculum	\$ 91,548
322	Unicoi	\$ 108,938
323	Union City	\$ 259,534
324	Vanleer	\$ 39,158
325	Viola	\$ 32,936
326	Vonore	\$ 63,830
327	Walden	\$ 77,270
328	Wartburg	\$ 49,840

329	Wartrace	\$	45,162
330	Watauga	\$	38,232
331	Watertown	\$	63,434
332	Waverly	\$	120,040
333	Waynesboro	\$	81,220
334	Westmoreland	\$	83,428
335	White Bluff	\$	109,578
336	White House	\$	305,988
337	White Pine	\$	81,816
338	Whiteville	\$	128,978
339	Whitwell	\$	68,024
340	Williston	\$	38,342
341	Winchester	\$	222,326
342	Winfield	\$	52,112
343	Woodbury	\$	92,896
344	Woodland Mills	\$	37,878
345	Yorkville	\$	35,672
	Total (Municipalities)	\$	90,810,374

LEGISLATIVE INITIATIVES

SECTION 13. It is the legislative intent that institutions of higher education identified in Section 4 of Senate Bill 2935 / House Bill 2930, relative to bond issuance, be authorized to proceed with the capital improvement projects identified in such legislation through bonds issued, if such bill becomes a law.

SECTION 14. The provisions of this section shall take effect upon becoming law, the public welfare requiring it.

Item 1. To municipalities and counties, \$200,000 is hereby appropriated to supplement the appropriation made in Section 42, Item 2, Chapter 405, Public Acts of 2019. Such funds shall be used to fund the state share of the cost of any law of general application which requires, without local discretion, that incorporated municipalities or county governments increase expenditures as a direct consequence of passage of any general law during the 2019 annual session of the 111th General Assembly.

Item 2. To municipalities and counties, \$100,000 is hereby appropriated to supplement the appropriation made in Section 42, Item 2, Chapter 651, Public Acts of 2020. Such funds shall be used to fund the state share of the cost of any law of general application which requires, without local discretion, that incorporated municipalities or county governments increase expenditures as a direct consequence of passage of any general law during the 2020 annual session of the 111th General Assembly.

It is the legislative intent that such funds appropriated by this section be divided and distributed to the various municipalities and counties as follows: fifty percent (50%) to

municipalities on the basis of population and fifty percent (50%) to counties on the basis of population.

SECTION 15. It is hereby recognized that Senate Bill 2734 / House Bill 2517, relative to drug-free school zones, will result in a savings in fiscal year 2020-2021 of \$3,500,000 recurring in the Department of Correction, State Prosecutions Account, and of \$3,500,000 recurring in the Department of Correction, Sentencing Act of 1985 Account (with a restoration of \$1,500,000 non-recurring to such account), if such bill becomes a law.

SECTION 16.

Item 1. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of funding any joint resolution calling for an amendment to the Tennessee constitution that is not otherwise funded in this act.

Item 2. From reserves available to the State Museum, there is earmarked the sum of \$30,000 for the sole purpose of implementing House Bill 2131 / Senate Bill 2301, relative to the designating of the Tennessee State Museum located at 1000 Rosa L. Parks Boulevard as the "Bill Haslam Center", if such bill becomes a law.

Item 3. From appropriations made pursuant to Section 1, Title III-15, Item 1, Chapter 460, Public Acts of 2017, for tuition assistance, and from reserves available to the Department of Military, there is earmarked the sum of \$100,000 for the sole purpose of implementing House Bill 2246 / Senate Bill 2177, relative to the extension of eligibility for tuition reimbursement provided to members of the Tennessee National Guard under the STRONG Act of 2017, if such bill becomes a law.

Item 4. From federal funds available pursuant to the Child Care Development Funds block grant to the Department of Human Services, there is earmarked the sum of \$54,300 for the sole purpose of implementing House Bill 2168 / Senate Bill 2253, relative to the creation of the Tennessee Child Care Task Force, if such bill becomes a law.

Item 5. From funds available to the Tennessee Bureau of Investigation, there is earmarked the sum of \$1,579,300 (of which \$1,033,400 is recurring and of which \$545,900 is nonrecurring) for the sole purpose of funding the hiring of six (6) additional Special Agent Field Agents and two (2) additional Special Agent Forensic Scientists. The Tennessee Bureau of Investigation is authorized to hire qualified personnel to fill these positions.

Item 6. From funds available to the General Assembly, there is earmarked a sum sufficient for the sole purpose of funding expenses for meetings of members of the General Assembly Study Committee on Land-grant Institution Funding. The study committee is to be comprised of three members of the Senate and three members of the House of Representatives, to be appointed by the Speakers of the Senate and the House of Representatives, respectively. The purpose of the committee is to study inequities of prior years' federal and state funding for land-grant institutions of higher education, including Tennessee State University, and the effects and impacts of such funding, including as it relates to the maintenance and operation of such institutions. Any expense payment is subject to approval by the Speaker of the House of Representatives and the Speaker of the Senate in accordance with Tennessee Code Annotated, Section 3-1-106.

SECTION 17.

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$177,900 (recurring) to the Department of Health for the sole purpose of implementing House Bill 2350 / Senate Bill 2312, relative to revisions to healthcare certificate of need (CON) requirements, if such bill becomes a law.

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 (nonrecurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Tennessee Historical Society, to be used for costs related to the celebration and documentation of the women's suffrage centennial.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$174,000 (nonrecurring) to the Department of Economic and Community Development for the sole purpose of providing funding for the state's nine (9) development districts.

Item 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$400,000 (nonrecurring) to the Office of the Attorney General for the sole purpose of establishing or increasing oversight of the state employee health plan in cooperation with the Comptroller of the Treasury and third parties designated by the Office of the Attorney General and the Comptroller. The procurement of services provided by a third party shall be in accordance with the procurement process established in Tennessee Code Annotated, Title 12, Chapter 3, and administered in accordance with Title 4, Chapter 56.

SECTION 18. The Tennessee Code Commission is requested to place an appropriate, permanent note following the codification of any public act which is codified and which has not received constitutionally required first year's funding through the provisions of this act.

SECTION 19. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 20. This act shall take effect July 1, 2020, the public welfare requiring it; provided, however, that any provision of this act which authorizes prior or immediate expenditures and any section or item which specifies an immediate effective date shall take effect upon becoming a law, the public welfare requiring it.

AND FURTHER AMEND by requesting the Engrossing Clerk to:

(1) Delete the bold underlined explanatory headings in this amendment; and

(2) Exclude this paragraph from the engrossed bill

/s/ Senator Bo Watson
/s/ Senator Ferrell Haile
/s/ Senator Jack Johnson
/s/ Senator John Stevens
/s/ Senator Ken Yager

/s/ Representative Susan M. Lynn
/s/ Representative Patsy Hazlewood
/s/ Representative William Lamberth
/s/ Representative Matthew Hill
/s/ Representative Gary Hicks

/s/ Senator Brenda Gilmore

/s/ Representative Harold Love

/s/ Representative Rick Staples

Senator Watson moved that the Conference Committee Report on **Senate Bill No. 2931/House Bill No. 2922** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes	26
Noes	4

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager and Mr. Speaker McNally--26.

Senators voting no were: Akbari, Kyle, Robinson and Yarbrow--4.

A motion to reconsider was tabled.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 2932/HOUSE BILL NO. 2924**

The report was received and filed with the clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 2932/HOUSE BILL NO. 2924**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2924 (Senate Bill No. 2932) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-1016(d), is amended by deleting the language "June 30, 2011 and June 30, 2014," and substituting instead the language "June 30, 2011, June 30, 2014, June 30, 2020, and June 30, 2021,".

SECTION 2. Tennessee Code Annotated, Section 4-3-1016(e), is amended by deleting the language "and June 30, 2011" and substituting instead the language "June 30, 2011, June 30, 2020, and June 30, 2021".

SECTION 3. Tennessee Code Annotated, Section 4-3-1016(i), is amended by deleting the language "In the fiscal year ending June 30, 2018" and substituting instead the language "In the fiscal years ending June 30, 2018, June 30, 2020, and June 30, 2021".

SECTION 4. Tennessee Code Annotated, Section 4-3-1016, is further amended by adding the following new subsection (j):

(j) In the fiscal years ending June 30, 2020, and June 30, 2021, in addition to the transfers authorized in subsections (d) and (k), transfers are authorized from the following additional funds, reserve accounts, and programs:

(1) Attorney general and reporter, litigation settlement funds reserve, except as otherwise provided by law;

(2) District attorneys general conference, district attorneys expunction fund, created or referenced in title 40, chapter 32, part 1;

(3) District public defenders conference, public defenders expunction fund, created or referenced in title 40, chapter 32, part 1;

(4) Tennessee public utility commission, underground damage prevention fund, created or referenced in title 65, chapter 31, part 1;

(5) Tennessee arts commission, reserve for new specialty earmarked license plates, created or referenced in title 55, chapter 4, part 3;

(6) Department of finance and administration, office of inspector general reserve, created or referenced in title 71, chapter 5, part 25;

(7) Department of finance and administration, victim notification fund, created or referenced in title 67, chapter 4, part 6;

(8) Department of finance and administration, horse trailer specialty license plate reserve, created or referenced in title 55, chapter 4, part 3;

(9) Bureau of TennCare, Cover Tennessee litigation settlement reserve, except as otherwise provided by law;

(10) Department of agriculture, animal population specialty license plate reserve, created or referenced in title 55, chapter 4, part 2;

(11) Department of agriculture, agricultural specialty earmarked license plate reserve, created or referenced in title 55, chapter 4, part 2;

(12) Department of environment and conservation, state parks specialty license plate reserve, created or referenced in title 55, chapter 4, part 2;

(13) Department of environment and conservation, state parks Ocoee River recreation and economic development fund, created or referenced in title 11, chapter 8, part 1;

(14) Department of environment and conservation, Tennessee historical commission, Tennessee Civil War or War Between the States site preservation fund, created or referenced in chapter 11, part 1 of this title;

(15) Department of environment and conservation, Tennessee historical commission, historic property land acquisition fund, created or referenced in chapter 11, part 1 of this title;

(16) Department of environment and conservation, tire environmental fund, created or referenced in title 68, chapter 211, part 3;

(17) Department of environment and conservation, state parks birds of prey specialty license plate reserve, created or referenced in title 55, chapter 4, part 2;

(18) Tennessee wildlife resources agency, wildlife resources fund, created or referenced in title 70, chapter 1, part 4;

(19) Tennessee wildlife resources agency, boating safety act reserve, created or referenced in title 69, chapter 9, part 2;

(20) Department of education, energy efficient schools initiative reserve, created or referenced in title 49, chapter 17, part 1;

(21) Tennessee higher education commission, postsecondary licensure fee reserve, created or referenced in title 49, chapter 7, part 20;

(22) Attorney general and reporter, consumer affairs division reserve, created or referenced in title 40, chapter 33, part 2;

(23) Department of commerce and insurance, reduced cigarette ignition propensity and firefighter protection act enforcement fund, created or referenced in title 68, chapter 102, part 5;

(24) Tennessee corrections institute, local correctional officer training fund, created or referenced in title 41, chapter 7, part 1;

(25) Department of commerce and insurance, cemetery consumer protection account reserve, created or referenced in title 46, chapter 1, part 1;

(26) Department of commerce and insurance, pre-need funeral consumer protection account reserve, created or referenced in title 62, chapter 5, part 4;

(27) Department of commerce and insurance, securities industry education and enforcement fees, created or referenced in title 48, chapter 1, part 1;

(28) Department of commerce and insurance, insurance industry education and enforcement fees, created or referenced in title 56, chapter 53, part 1;

(29) Department of commerce and insurance, closed estate fund, created or referenced in title 56, chapter 9, part 3;

(30) Department of military, station commander's upkeep and maintenance fund, created or referenced in title 58, chapter 1, part 5;

(31) Department of health, St. Jude Children's Research Hospital specialty license plate reserve, created or referenced in title 55, chapter 4, part 2;

(32) Department of safety, electronic citation fee reserve, created or referenced in title 55, chapter 10, part 2;

(33) Department of environment and conservation, underground storage tank settlement funds, except as otherwise provided by law;

(34) Department of environment and conservation, solid waste settlement funds, except as otherwise provided by law;

(35) Department of environment and conservation, superfund settlement funds, except as otherwise provided by law;

(36) Department of environment and conservation, leaking underground storage tank settlement funds, except as otherwise provided by law;

(37) Court system, access to justice program reserve, created or referenced in Supreme Court Rule 50 and title 16, chapter 1, part 1;

(38) Court system, board of professional responsibility reserve, created or referenced in Supreme Court Rule 9 and title 16, chapter 1, part 1;

(39) Court system, Tennessee lawyers assistance program reserve, created or referenced in Supreme Court Rule 33 and title 16, chapter 1, part 1;

(40) Court system, commission on continuing legal education program reserve, created or referenced in Supreme Court Rule 21 and title 16, chapter 1, part 1;

(41) Court system, judicial commissioner continuing education account reserve, created or referenced in title 67, chapter 4, part 6;

(42) District attorneys general conference, fraud and economic crimes reserve, created or referenced in title 40, chapter 3, part 2;

(43) State treasurer, state pooled investment fund administrative reserve, created or referenced in title 9, chapter 4, part 6;

(44) State treasurer, educator liability fund, created or referenced in title 9, chapter 8, part 2;

(45) Department of correction, TDOC confiscated cash fund, created, or referenced in title 4, chapter 6, part 1;

(46) Public defenders conference, indigent defense local litigation tax reserve, created or referenced in title 40, chapter 14, part 2;

(47) Secretary of state, fantasy sports fund, created or referenced in title 47, chapter 18, part 16;

(48) State treasurer, financial literacy program reserve, created or referenced in title 49, chapter 6, part 17;

(49) State treasurer, electronic monitoring indigency fund, created or referenced in title 55, chapter 10, part 4;

(50) Department of finance and administration, electronic monitoring indigency fund, created or referenced in title 55, chapter 10, part 4;

(51) Department of finance and administration, child abuse fund, created or referenced in title 39, chapter 13, part 5;

(52) Department of finance and administration, anti-human trafficking fund, created or referenced in title 39, chapter 13, part 3;

(53) TennCare, maintenance of coverage trust fund, created or referenced in title 71, chapter 5, part 1;

(54) TennCare, nursing home assessment trust fund, created or referenced in title 71, chapter 5, part 10;

(55) Department of environment and conservation, settlement funds from *Lenoir v. Porters Creek Watershed District*, 586 F.2d 1081 (1978), except as otherwise provided by law;

(56) Department of environment and conservation, state lands acquisition compensation fund, created or referenced in title 67, chapter 4, part 4;

(57) Department of environment and conservation, settlement funds from *Tennessee v. Roane Holdings, Ltd.*, 835 F.Supp.2d 527 (2011), except as otherwise provided by law;

(58) Department of correction, Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004 reserve, created or referenced in title 40, chapter 39, part 2;

(59) Department of commerce and insurance, Professional Employee Organization Act reserve, created or referenced in title 62, chapter 43, part 1;

(60) Department of labor and workforce development, employee misclassification education and enforcement fund, created or referenced in title 50, chapter 6, part 9;

(61) Department of health, trauma system fund, created or referenced in title 68, chapter 59, part 1; and

(62) Department of revenue, uninsured motorist identification restricted fund, created or referenced in title 55, chapter 12, part 2.

SECTION 5. Tennessee Code Annotated, Title 67, Chapter 6, Part 5, is amended by adding the following new sections:

67-6-543.

(a) Dealers with a physical presence in this state shall register with the department to collect and remit tax in accordance with this chapter.

(b) Dealers with no physical presence in this state shall register with the department to collect and remit tax in accordance with this chapter if the dealer engages in the regular or systematic solicitation of consumers in this state through any means and made sales that exceeded one hundred thousand dollars (\$100,000) to consumers in this state during the previous twelve-month period. Such dealers shall begin to collect and remit the tax by the first day of the third calendar month following the month in which this threshold was met; provided, however, that this subsection (b) does not require a dealer to collect the tax for sales made before October 1, 2020.

67-6-544.

The general assembly finds that the sales threshold standard required by § 67-6-543(b) matches the benchmark established by South Dakota that was analyzed and found to support it being upheld as constitutional by the supreme court of the United States in *South Dakota v. Wayfair*, 138 S.Ct. 2080 (2018).

67-6-545.

Section 67-6-543 does not change the substantial nexus criteria for determining when a person is required to pay the business tax under § 67-4-717, excise tax under § 67-4-2007, or franchise tax under § 67-4-2105.

SECTION 6. Tennessee Code Annotated, Section 67-6-501(a), is amended by deleting the language "Every dealer making sales" and substituting instead the language "Except as otherwise provided in § 67-6-543(b), every dealer making sales".

SECTION 7. Tennessee Code Annotated, Section 67-6-501(f)(1), is amended by deleting the following language:

The marketplace facilitator made or facilitated total sales to consumers in this state of five hundred thousand dollars (\$500,000) or less during the previous twelve-month period;

and substituting instead the following:

The marketplace facilitator made or facilitated total sales to consumers in this state of one hundred thousand dollars (\$100,000) or less during the previous twelve-month period;

SECTION 8. Tennessee Code Annotated, Section 67-6-509(a), is amended by deleting the language "An out-of-state person making sales in Tennessee, who cannot be required to register for sales and use tax under applicable law" and substituting instead the language "An out-of-state person making sales in Tennessee, who is not required to register for sales and use tax under applicable law".

SECTION 9. Tennessee Code Annotated, Section 67-4-3204(c), is amended by deleting the subsection in its entirety.

SECTION 10. Tennessee Code Annotated, Section 3-1-107(c), is amended by deleting the language "For the fiscal year beginning in 2005," and substituting instead the language "Except as provided in subdivision (c)(2), for the fiscal year beginning in 2005,".

SECTION 11. Tennessee Code Annotated, Section 3-1-107(c), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) Notwithstanding this section to the contrary, beginning with the election of the One Hundred Twelfth General Assembly, the base salary of each member shall not be adjusted pursuant to subdivision (c)(1) for fiscal year 2020-2021.

SECTION 12. Tennessee Code Annotated, Section 4-3-1016(d), is amended by deleting subdivisions (46), (47), (48), (49), (50), and (60) and renumbering the remaining subdivisions accordingly.

SECTION 13. Tennessee Code Annotated, Section 4-3-1016, is amended by adding the following new subsections:

(k) In the fiscal years ending June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011 and June 30, 2014, transfers are authorized from the following funds, reserve accounts and programs:

(1) Department of commerce and insurance, state board of accountancy fund, created or referenced in title 62, chapter 1, part 1;

(2) Department of commerce and insurance, division of regulatory boards fund, created or referenced in title 56, chapter 1, part 3;

(3) Department of health, health-related boards fund, created or referenced in title 63, chapter 1, part 1;

(4) Department of commerce and insurance, real estate education and recovery education fund, created or referenced in title 62, chapter 13, part 2;

(5) Department of commerce and insurance, real estate education and recovery claims fund, created or referenced in title 62, chapter 13, part 2; and

(6) Department of commerce and insurance, auctioneer education and recovery account, created or referenced in title 62, chapter 19.

(l) In the fiscal years ending June 30, 2020, and June 30, 2021, transfers shall not be made from the following funds, reserve accounts or programs:

(1) Tennessee board of court reporting fund, created or referenced in title 20, chapter 9, part 6;

(2) Department of agriculture, beef promotion board reserve, created or referenced in title 43, chapter 29, part 1; and

(3) Department of agriculture, cotton growers' organization reserve, created or referenced in title 43, chapter 6, part 4.

SECTION 14. Tennessee Code Annotated, Section 9-4-5111, is amended by adding the following as a new subsection:

(c) During fiscal year 2020-2021, before requiring each head to set aside a reserve pursuant to subsection (a) or otherwise reserving allotments pursuant to this section, the commissioner of finance and administration shall submit written notice of the proposed reserve allotment to the speakers of the senate and the house of representatives and to the chairs of the finance, ways and means committees of the senate and house of representatives. No such allotments shall be reserved until the speakers and chairs have acknowledged in writing receipt of such written notice. When submitted, a copy of the notice shall be provided to the fiscal review committee executive director and the office of legislative budget analysis directors for information purposes. A proposed reserve allotment shall not be acknowledged by the chairs during a time that the general assembly is in regular, annual session until each finance, ways and means committee has held a hearing on the proposed allotment, or the committees have held a joint hearing.

SECTION 15. Tennessee Code Annotated, Section 67-6-393, is amended by deleting subsections (a) and (b) and substituting instead the following:

(a) Any exemption provided by this section shall be known as a "sales tax holiday."

(b)

(1) There is exempt from the tax imposed by this chapter the following items of tangible personal property, if sold between 12:01 a.m. on the last Friday of July and 11:59 p.m. the following Sunday:

(A) Clothing with a sales price of one hundred dollars (\$100) or less per item;

(B) School supplies with a sales price of one hundred dollars (\$100) or less per item;

(C) School art supplies with a sales price of one hundred dollars (\$100) or less per item; and

(D) Computers with a sales price of one thousand five hundred dollars (\$1,500) or less per item.

(2) The exemption provided by this subsection (b) does not apply to the following:

(A) Computer software;

(B) Clothing accessories or equipment;

(C) Protective equipment;

(D) Sport or recreational equipment;

- (E) School instructional material;
- (F) School computer supplies;
- (G) Any item for use in a trade or business;
- (H) The lease or rental of any item; or
- (I) Video game consoles.

SECTION 16. Tennessee Code Annotated, Section 67-6-393, is amended by adding the following as new subsections:

(f)

(1) Notwithstanding subsection (b), there is exempt from the tax imposed by this chapter the following items of tangible personal property, if sold between 12:01 a.m. on Friday, July 31, 2020, and 11:59 p.m. on Sunday, August 2, 2020:

(A) Clothing with a sales price of two hundred dollars (\$200) or less per item;

(B) School supplies with a sales price of two hundred dollars (\$200) or less per item;

(C) School art supplies with a sales price of two hundred dollars (\$200) or less per item; and

(D) Electronic devices, including, but not limited to, computers and televisions, with a sales price of three thousand dollars (\$3,000) or less per item.

(2) The exemption provided by this subsection (f) does not apply to the following:

- (A) Computer software;
- (B) Clothing accessories or equipment;
- (C) Protective equipment;
- (D) Sport or recreational equipment;
- (E) School instructional material;
- (F) School computer supplies;
- (G) Any item for use in a trade or business; or
- (H) The lease or rental of any item.

(g) There is exempt from the tax imposed by this chapter the retail sale of food and drink by restaurants and limited service restaurants, as defined in § 57-4-102, if sold between 12:01 a.m. on Friday, August 7, 2020, and 11:59 p.m. on Sunday, August 9, 2020.

SECTION 17. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 18. Sections 5, 6, 7, 8, and 9 shall take effect at 12:01 a.m. on October 1, 2020, the public welfare requiring it. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Bo Watson

/s/ Senator Ferrell Haile

/s/ Senator Jack Johnson

/s/ Senator John Stevens

/s/ Senator Ken Yager

/s/ Senator Brenda Gilmore

/s/ Representative Susan M. Lynn

/s/ Representative Patsy Hazlewood

/s/ Representative William Lamberth

/s/ Representative Matthew Hill

/s/ Representative Gary Hicks

/s/ Representative Harold Love

/s/ Representative Rick Staples

Senator Watson moved that the Conference Committee Report on **Senate Bill No. 2932/House Bill No. 2924** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes	29
Noes	0
Present, not voting ...	1

Senators voting aye were: Akbari, Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--29.

Senators present and not voting were: Kyle--1.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 2935/HOUSE BILL NO. 2930**

The report was received and filed with the clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 2935/HOUSE BILL NO. 2930**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2930 (Senate Bill No. 2935) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language immediately after the caption and substituting instead the following:

WHEREAS, the General Assembly recognizes the importance to the economic welfare and prosperity of the State of promoting economic growth, employment, and community development in the State and has in the past created the Department of Economic and Community Development to further such development and authorized the department to seek businesses to locate in the State; and

WHEREAS, the department intends to enter into agreements with Volkswagen Group of America Chattanooga Operations, LLC, to locate a new facility in Hamilton County; and

WHEREAS, this new facility will provide a substantial number of jobs and promote further economic growth, employment, and community development not only in Hamilton County but in the State as a whole; and

WHEREAS, the General Assembly finds that making grants to the Industrial Development Board of the City of Chattanooga, Tennessee, for acquisition of equipment and acquisition, site preparation, erection, construction, and equipment of sites and buildings, and infrastructure improvements and development in support of the location of Volkswagen Group of America Chattanooga Operations, LLC, in Tennessee, in accordance with agreements with them to be entered into and approval of the project by the State Building Commission, will serve the public purpose of promoting economic and community development in the State and for its inhabitants as a body, and is related to the function of the Department of Economic and Community Development in furthering such growth; and

WHEREAS, the department intends to enter into agreements with Amazon.com Services LLC., to locate a new facility in Davidson County; and

WHEREAS, this new facility will provide a substantial number of jobs and promote further economic growth, employment, and community development not only in Davidson County but in the State as a whole; and

WHEREAS, the General Assembly finds that making grants to the Industrial Development Board of the Metropolitan Government of Nashville and Davidson County, Tennessee, for acquisition of equipment and acquisition, site preparation, erection, construction, and equipment of sites and buildings, and infrastructure improvements and development in support of the location of Amazon.com Services LLC., in Tennessee, in accordance with agreements with them to be entered into and approval of the project by the State Building Commission, will serve the public purpose of promoting economic and community development in the State and for its inhabitants as a body, and is related to the function of the Department of Economic and Community Development in furthering such growth; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The state of Tennessee, acting by resolutions of its funding board, is hereby authorized and empowered to issue and sell direct general obligation bonds of the state of Tennessee in amounts not to exceed two hundred twenty-one million six hundred ninety-six thousand dollars (\$221,696,000) to effectuate the purposes specified in Section 4 of this act. Further, the funding board is authorized to sell bonds in amounts not to exceed two and one-half percent (2.5%) of the amounts specified above and authorized in Section 4, for the purpose of

funding discount and costs of issuance. Such bonds may be issued and sold in one (1) block or in several installments and separately or together with other general obligation bonds of the state of Tennessee as the board may determine, either at public or private sale as provided by law.

SECTION 2. The bonds and the interest bearing coupons attached thereto, if any, shall be in such form, mature at such time or times within twenty (20) years from the date of their issuance subject to Section 7 of this act, be executed in such manner, be payable at such place or places both as to principal and interest, and be in such denominations and bear such rate or rates of interest, payable in such manner, as the funding board shall by resolution direct; provided, however, that the maximum rate determined by the funding board in no instance shall exceed the legal rate as provided in Tennessee Code Annotated, Section 47-14-103. The bonds and interest payable thereon shall be exempt from taxation by the state of Tennessee or by any county, municipality, or taxing district of the state except inheritance, transfer, and estate taxes.

SECTION 3. When the bonds are so issued and sold, they shall be direct general obligations of the state of Tennessee for the payment of which well and truly to be made according to the tenor, effect, and terms thereof the full faith and credit of the state, together with its taxing power, shall irrevocably be pledged; and the bonds as authorized in this act shall be issued agreeable to the terms of Tennessee Code Annotated, Title 9, Chapter 9; and they shall be financed, retired, and paid both as to principal and interest as provided in that chapter and shall be subject to the terms and conditions therein and herein contained. When the bonds are sold and proceeds paid over to the state treasurer, the funds shall be paid out by the treasurer and the proper fiscal officers of the state, as provided by general law and this act, but only, except for accrued interest paid as part of the purchase price on order of the proper administrative authorities of the agency or department in this act named for the benefit of which such bonds have been authorized and only to the extent such bonds have in fact been issued for the benefit of such agency or department.

SECTION 4. The proceeds of any and all issues of bonds authorized in this act shall be allocated to the following departments:

(1) Department of Finance and Administration in the amount of fifty-two million eighty-five thousand dollars (\$52,085,000) and expended for the purposes of acquisition of equipment and sites, and erection, construction, and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvements, betterments, and extraordinary repairs to existing structures, and for the purpose of making grants to any county, metropolitan government, incorporated town, city, special district of the state, or any governmental agency or instrumentality of any of them, if such project grant is approved by the State Building Commission. Such grants so identified and approved are determined to be for a public purpose.

(2) Department of Finance and Administration in the amount of fifty million dollars (\$50,000,000) and expended for the purpose of making grants to The Industrial Development Board of the City of Chattanooga for the Volkswagen Group of America Chattanooga Operations, LLC, project and expended for the purpose of acquisition of equipment and acquisition, site preparation, erection, construction, and equipment of sites and buildings, and infrastructure improvements and development, including, but not limited to, sewer, water, utility, and rail infrastructure, whether or not such infrastructure is owned by the Industrial Development Board of the City of Chattanooga.

(3) Department of Finance and Administration in the amount of sixty-five million dollars (\$65,000,000) and expended for the purpose of making grants to The Industrial Development Board of the Metropolitan Government of Nashville and Davidson County for the Amazon.com Services LLC., project and expended for the purpose of acquisition of equipment and acquisition, site preparation, erection, construction, and equipment of sites and buildings, and infrastructure improvements and development, including, but not limited to, sewer, water, utility, and rail infrastructure, whether or not such infrastructure is owned by the Industrial Development Board of the Metropolitan Government of Nashville and Davidson County.

(4) Department of Finance and Administration in the amount of thirty-two million nine hundred eleven thousand dollars (\$32,911,000) to be allocated and expended for purposes of the University of Memphis STEM Research and Classroom Building and the acquisition of equipment and sites, and erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvements, betterments and extraordinary repairs to existing structures.

(5) Department of Finance and Administration in the amount of twenty-one million seven hundred thousand dollars (\$21,700,000) to be allocated and expended for purposes of the Tennessee Board of Regents – TCAT Chattanooga Advanced Manufacturing Building and the acquisition of equipment and sites, and erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvements, betterments and extraordinary repairs to existing structures.

(6) In its discretion the funding board is authorized to issue bonds in amounts not to exceed two and one-half percent (2.5%) of the amounts specified above in subdivisions (1) through (5), the proceeds of which are to be allocated to such departments as determined by the funding board and expended for the purpose of funding discount and the costs of issuance.

SECTION 5. The proper authorities enumerated in this act and charged with the duty of expending the funds shall have authority to proceed with the projects authorized in this act and for that purpose may hire an architect or architects, advertise for bids, and award contracts, all within the provisions of the general law, expressly including Tennessee Code Annotated, Title 4, Chapter 15, and rules of the state building commission, and in agreement with the terms of this act. No contract, including a contract for architectural services, involving a project authorized by this act, which is subject to the approval of the state building commission, shall be entered into unless and until that contract shall have been approved by the state building commission. The foregoing provisions shall not apply to any grants authorized in this act, but the department of finance and administration, charged with the duty of expending funds, shall have the authority to enter into such grant contracts and perform in accordance with their terms only after the projects have been approved by the state building commission.

SECTION 6. The allocation made to each agency or department as provided in Section 4 may be applied as determined by the funding board to bear its appropriate portion of discount and costs of issuance.

SECTION 7. Pending the issuance of the definite bonds authorized by this act, the state of Tennessee, acting by resolutions of its funding board, is authorized and empowered to issue and sell, either at public or private sale, together with accrued interest thereon, its interest-bearing bond anticipation note or notes. Such note or notes shall be authorized by resolution of the funding board.

The note or notes shall bear such date or dates, bear interest at such rate or rates, be in such denominations, be in such form, be executed in such manner, be payable in such medium of payment, at such place or places, and mature on such date or dates, subject to such terms and conditions as such resolution or resolutions may provide. In its discretion, the funding board may provide that a bond anticipation note or any renewal of such note may mature more than five (5) years from the date of issue of the original note; provided, that an amortization schedule of repayment of principal is established for the project funded by the note and provisions are made such that any note or renewal note or bond refunding such note attributed to the financing of such project shall be redeemed or retired no later than either twenty-five (25) years from the date of issue of such original note or twenty (20) years from the date the project is completed and placed in full service, whichever is earlier. Provisions of general law with respect to authentication, execution, and registration of general obligation bonds of the state of Tennessee shall also apply to the notes to the extent applicable. The note or notes and the interest payable thereon shall be exempt from taxation by the state of Tennessee or by any county, municipality, or taxing district of the state except inheritance, transfer, and estate taxes. Any resolution or resolutions of the funding board authorizing the issuance of such bond anticipation note or notes shall provide that the same are issued in anticipation of the bonds authorized under this act and shall further provide that the full faith and credit and taxing power of the state of Tennessee are pledged to the payment thereof.

In its discretion the funding board is authorized to issue bond anticipation notes, the proceeds of which are to be allocated to the funding board and expended for the purpose of funding discount and the costs of issuance, as part of the two and one-half percent (2.5%) additional amounts authorized by Section 4 of this act.

SECTION 8. No bonds shall be issued under the authority of this act until such time as the general assembly has appropriated sufficient funds to pay the first year's obligation of principal and interest on the amount of bonds to be issued and the state funding board has determined that such funds are available.

SECTION 9. Notwithstanding any other provision of this act to the contrary, the bonds and bond anticipation notes authorized by this act may be designated "college savings bonds" and be issued pursuant to the provisions of the Baccalaureate Education Savings for Tennessee Act, Chapter 190, Public Acts of 1989.

SECTION 10. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 11. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code 2000(d).

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Bo Watson
/s/ Senator Ferrell Haile
/s/ Senator Jack Johnson
/s/ Senator John Stevens
/s/ Senator Ken Yager
/s/ Senator Brenda Gilmore

/s/ Representative Susan M. Lynn
/s/ Representative Patsy Hazlewood
/s/ Representative William Lamberth
/s/ Representative Matthew Hill
/s/ Representative Gary Hicks
/s/ Representative Harold Love
/s/ Representative Rick Staples

Senator Watson moved that the Conference Committee Report on **Senate Bill No. 2935/House Bill No. 2930** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Briggs, Crowe, Dickerson, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--29.

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2156 The House adopted the Conference Committee Report and made it the action of the House.

TAMMY LETZLER
Chief Clerk

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 2156/SENATE BILL NO. 2111**

The report was received and filed with the clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 2156/SENATE BILL NO. 2111**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2156 (Senate Bill No. 2111) has met and recommends that all amendments be deleted. The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-731, is amended by adding the following as a new subsection:

(1) At least once each year, the department shall report to the fiscal review committee, on any new clawback rights being executed by the department during the current year, as well as any clawback rights from previous years that are still being collected by the department during the current year.

(2) As used in this subsection, "clawback" means a provision in an agreement or a separate agreement that reserves the right of the department to recover the amount of money, grants, funds, or other incentives disbursed by the department, in whole or in part, if the person or entity benefitting from such money, grants, funds, or other incentives fails to fulfill the commitments made by such person or entity to the department.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Mike Bell

/s/ Senator Richard Briggs

/s/ Senator Brenda Gilmore

/s/ Representative Clark Boyd

/s/ Representative Pat Marsh

/s/ Representative Joe Towns

Senator Bell moved that the Conference Committee Report on **House Bill No. 2156/Senate Bill No. 2111** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 28

Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Briggs, Crowe, Dickerson, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--28.

MOTION

On motion of Senators Gilmore and Kyle, their names were added as sponsors of **Senate Bill No. 1578**.

On motion of Senators Gardenhire, Yarbrow and Robinson, their names were added as sponsors of **Senate Bill No. 1839**.

On motion of Senator Gardenhire, his name was added as sponsor of **Senate Bill No. 2273**.

On motion of Senator Hensley, his name was added as sponsor of **Senate Bill No. 2381**.

On motion of Senator Gilmore, her name was added as sponsor of **Senate Joint Resolutions Nos. 1354, 1401 and 1402; Senate Resolutions Nos. 175 and 182; and House Joint Resolution No. 1236**.

On motion of Senators Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 1352**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Joint Resolutions Nos. 1357 and 1358**.

On motion of Senators Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 1406**.

On motion of Senators Akbari, Kyle, Gilmore and Robinson, their names were added as sponsors of **Senate Resolution No. 191**.

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

On motion of Senator Massey, her name was added as sponsor of **House Joint Resolutions Nos. 1233 and 1234.**

On motion of Senators Crowe and Southerland, their names were added as sponsors of **House Joint Resolutions Nos. 1238 and 1241.**

On motion of Senators Rose and Kelsey, their names were added as sponsors of **House Joint Resolution No. 1239.**

On motion of Senators Dickerson, Gilmore, Haile and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 1240.**

On motion of Senator Bell, his name was added as sponsor of **House Joint Resolution No. 1246.**

ENGROSSED BILLS

June 18, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 1352, 1353, 1354, 1357, 1358, 1400, 1401, 1402, 1403, 1404 and 1405; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

ENGROSSED BILLS

June 18, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 2878; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

ENGROSSED BILLS

June 18, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolution No. 1406; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 29, 1756, 2167, 2330 and 2511; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

THURSDAY, JUNE 18, 2020 -- 65TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1560 and 2243; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2052, 2680, 2689 and 2705; passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2918 and 2932; passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1778; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1387; passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1727, 1775, 2019, 2292, 2301 and 2878; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2741; The House lifted the tabling motion, reconsidered Senate Bill No. 2741 and withdrew Amendment No. 1 and repassed Senate Bill No. 2741 on third and final consideration.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1245 and 1246; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to notify the Senate that House Resolution No. 371 was adopted by over a two-thirds majority vote of the members elected to the One Hundred Eleventh General Assembly.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1827 The House adopted the Conference Committee Report and made it the action of the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1343, 1344, 1346, 1347, 1348, 1349, 1350, 1351, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1385, 1384, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398 and 1399; concurred in by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1213, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1231 and 1232; for the signature of the Speaker.

TAMMY LETZLER
Chief Clerk

SIGNED

June 18, 2020

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1213, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1231 and 1232.

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2312. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Reps. Smith, Vaughan and Windle to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 2312.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2381. The House acceded to the request of the Senate for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Reps. Curcio, Farmer, Shaw and Bricken to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 2381.

TAMMY LETZLER
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

June 18, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 811, 1009, 1559, 1616, 1634, 1862, 1956, 2017, 2119, 2141, 2166, 2260, 2269, 2313, 2317, 2520, 2552, 2620, 2681, 2821, 2826, 2843, 2863 and 2937; Senate Joint Resolution No. 1356; for his action.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

June 18, 2020

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 1356; with his approval.

LANG WISEMAN,
Deputy & Counsel to the Governor

CLERK'S NOTATION

The hour of 12:00 midnight on June 19, 2020 having arrived, the Senate commenced the 66th Legislative Day.